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CONSTITUTION

RZECZYPOSPOLITEJ POLSKIEJ

of 2 April 1997.

**Developed on
basis: Acts. U.
1997. No. 78,
Pos. 483, 2001
r. No. 28, pos.
319, 2006. No.
200, item. 1471 of
2009., No. 114,
Pos. 946.**

Concerned about the existence and future of our Homeland,
Which recovered, in 1989, the possibility of a sovereign and democratic
determination of its fate,
We, the Polish Nation - all citizens of the Republic,
Both those who believe in God
the source of truth, justice, good and beauty,
as well as those not sharing such faith,
but respecting those universal values as arising from other sources,
equal in rights and obligations towards the common good - Polish,
grateful to our ancestors for their labors, their struggle for independence
achieved at great sacrifice, for our culture rooted in the Christian
heritage of the Nation and in universal human values,
Recalling the best traditions of the First and Second Republic,
Obliged to bequeath to future generations all that is valuable
with over a thousand years of heritage,
Bound in community with our compatriots dispersed throughout the world,
aware of the need for cooperation with all countries for the good of families
Human,
Mindful of the bitter experiences of the times when fundamental freedoms and rights
man were violated in our Homeland,
Desiring to guarantee civil rights, and action
public institutions ensure the accuracy and efficiency,
a sense of responsibility before God or our own
conscience,
Hereby establish this Constitution of the Republic of Polish
as the basic law for the state

based on respect for freedom and justice, cooperation
authorities, social dialogue and strengthening the principle of subsidiarity
the powers of citizens and their communities.
All those who for the good of the Constitution of the Third Republic
They will use,
we urge them to do it, taking care to preserve the inherent dignity
man
his right to liberty and obligation of solidarity with others,
and respect for these principles have for the firm foundations
Polish Republic.

Chapter I

REPUBLIC

Art. 1. The Republic of Poland is a common good of all citizens.

Art. 2. The Republic of Poland is a democratic state ruled by law,
implementing the principles of social justice.

Art. 3. The Republic of Poland is a unitary state.

Art. 4 1. Supreme power in the Polish Republic belongs to the Nation.

2. The Nation shall exercise such power through their representatives or directly.

Art. 5. The Republic of Poland shall safeguard the independence and integrity
its territory and ensure the freedoms and rights of man and citizen, and
the safety of citizens, safeguard the national heritage and provides protection
environment, guided by the principle of sustainable development.

Art. 6. 1. The Republic of Poland shall provide conditions for the people's equal
access to cultural goods which are the source of the identity of the Polish nation, its duration
and development.

2. The Republic of Poland shall provide assistance to Poles living abroad
maintain their links with the national cultural heritage.

Art. 7. Public authorities operate on the basis and within the law.

Art. 8. 1. The Constitution is the supreme law of the Polish Republic.

2. The provisions of the Constitution shall apply directly, unless the Constitution provides otherwise.

Art. 9. The Republic of Poland warns her right to international law.

Art. 10 1. Structure of the Polish based on the division and balance between the legislative, executive and judicial powers.

2. Legislative power is vested in the Sejm and the Senate, the executive authority President of the Polish Republic and the Council of Ministers, and the judicial authority and courts Tribunals.

Art. 11 1. The Republic of Poland shall ensure freedom for the creation and batch operation political. Political parties founded on the principle of voluntarism and equality Polish citizens to influence the shaping of democratic means State policy.

2. The financing of political parties is open.

Art. 12 The Republic of Poland shall ensure freedom for the creation and functioning compounds professional, organizations socio-occupational farmers, associations, citizens' movements, other voluntary associations and foundations.

Art. 13. Forbidden is the existence of political parties and other organizations referring in their programs to totalitarian methods and practices of action Nazism, fascism and communism, as well as those whose programs or activities It assumes or allows racial and national hatred, violence in purpose of obtaining power or to influence the State policy, or provide for the secrecy structure or membership.

Art. 14. The Republic of Poland ensures freedom of the press and other means social communication.

Art. 15 1. Structure of Territorial Republic of Poland provides decentralization of public power.

2. The basic territorial division of the State shall be determined by statute, economic or cultural ties which ensure to the territorial units capacity performing their public duties.

Art. 16 1. The inhabitants of the units of basic territorial division under the law is self-governing community.

2. Local government shall participate in the exercise of public authority. He is entitled to a substantial part of public tasks council performs in its own name and on their own responsibility.

Art. 17 1. On the way the law can create professional associations, representing those professionals holding the public trust and custody the proper practice of the professions within the limits of public interest and for its protection.

2. By the law can also create other types of self-government. Local governments shall not infringe the freedom to practice a profession nor limit the freedom to undertake economic activity.

Art. 18. Marriage as a union between a woman and a man, family, motherhood and parenthood are under the protection and care of the Republic Polish.

Art. 19 The Republic of Poland shall take special care of veterans of the struggle for independence, particularly war invalids.

Art. 20. A social market economy based on the freedom of activity economic, private ownership, and solidarity, dialogue and cooperation partners social forms the basis of the economic system of the Polish Republic.

Art. 21 1. The Republic of Poland shall protect ownership and the right of succession.
2. Expropriation may be allowed only if it is done on public purposes and for just compensation.

Art. 22. Limitations upon the freedom of economic activity is permissible only by means of statute and only for important public interest.

Art. 23. The state's agricultural system based on the family farm. Rule This is without prejudice to the provisions of Art. 21 and Art. 22.

Art. 24. Work is under the protection of the Polish Republic. You exercise supervision over the conditions of work.

Art. 25 1. Churches and other religious organizations shall have equal rights.

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2. Public authorities in the Republic of Polish be impartial in matters of religious beliefs or philosophical, providing their freedom of expression in public life.

3. The relationship between the State and churches and other religious organizations They are formed on the basis of respect for their autonomy and mutual independence of each in its own sphere, as well as cooperation for the good man and the common good.

4. The relations between the Polish Republic and the Catholic Church define international agreement concluded with the Holy See, and by statute.

5. The relations between the Republic of Polish and other churches and religious organizations determined by statutes adopted pursuant to agreements concluded by the Council of Ministers with their respective representatives.

Art. 26 1. Polish Armed Forces serve to protect State independence and integrity of its territory and ensuring security and inviolability of its borders.

2. The Armed Forces shall observe neutrality regarding political matters and shall be subject to civil and democratic control.

Art. 27. In the Republic of Polish official language is Polish. This provision shall not affect the rights of national minorities arising from the ratified international agreements.

Art. 28 1. The emblem is the image of the Polish white eagle crown on a red field.

2. The colors of the Polish colors are red and white.

3. Polish national anthem of the Republic of Dabrowski's Mazurka.

4. emblem, colors and national anthem of the Republic of Polish subject to legal protection.

5. Details of the emblem, colors and national anthem shall be specified by statute.

Art. 29. Polish capital of the Republic is Warsaw.

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FREEDOM, RIGHTS AND OBLIGATIONS OF PERSONS AND CITIZENS**General rules**

Art. 30. The inherent and inalienable dignity of man constitutes the source rights and freedoms of man and citizen. It shall be inviolable, and its respect and protection is the obligation of public authorities.

Art. 31 1. Freedom of the person shall receive legal protection.

2. Everyone shall respect the freedoms and rights of others. Nobody be compelled to do that which is not required by law.

3. Restrictions on the exercise of constitutional freedoms and rights They can be imposed only by statute and only when necessary in democratic state for its security or public order, or for the protection of the environment, health or public morals, or the freedoms and rights others. Such limitations shall not violate the essence of freedoms and rights.

Art. 32 1. Everyone is equal before the law. All are entitled to equal treatment by public authorities.

2. No one shall be discriminated against in political, social or economic life for any reason.

Art. 33 1. Men and women in the Polish Republic have equal rights in family, political, social and economic.

2. Men and women are equal in particular the right to education, employment and promotion, equal pay for work of equal value, to social security, to hold offices, fulfill functions, and receive public honors and decorations.

Art. 34 1. Polish citizenship is acquired by birth to parents Polish citizens. Other methods of acquiring Polish citizenship determined by law.

2. A Polish citizen can not lose Polish citizenship except by it surrenders.

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Art. 35 1. The Republic of Poland shall ensure Polish citizens belonging to national and ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions and their own culture.

2. National and ethnic minorities have the right to create their own educational, cultural institutions and institutions designed to protect identity religious and participate in the resolution of matters relating to their identity cultural.

Art. 36. During his stay abroad, a Polish citizen has the right to protection the Polish State.

Art. 37 1. Who is under the authority of the Polish, uses rights and freedoms guaranteed by the Constitution.

2. Exemptions from this principle with respect to foreigners shall be specified by statute.

Freedom and personal rights

Art. 38 The Republic of Poland shall guarantee every human being legal protection of life.

Art. 39. No one shall be subjected to scientific experimentation, including medical experimentation, without his voluntary consent.

Art. 40. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Prohibits corporal punishment.

Art. 41 1. Everyone shall have personal inviolability and personal liberty. Deprivation or restriction of liberty may be imposed only on rules and procedures specified in the Act.

2. Anyone deprived of liberty, except by court order has the right appeal to the court for immediate decision upon the lawfulness of such deprivation. Any deprivation of liberty shall be immediately family or a person indicated the person deprived of liberty.

3. Every detained person shall be immediately and clearly for She informed him of the reasons for detention. It should be within 48 hours of detention, be given over to the court. The detained person must be slow down, if within 24 hours of handing over to the court will not have

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received a decision of the court for preliminary detention with the the charges.

4. Anyone deprived of liberty shall be treated in a manner humane.

5. Each unlawfully deprived of liberty shall have the right to compensation.

Art. 42 1. This is subject to criminal liability only one who has committed an act offense under the law in force at the time it was committed.

This principle shall not prevent punishment of any act which, at the time of its commission constituted an offense under international law.

2. Anyone against whom criminal proceedings have the right to defense at all stages of the proceedings. He may, in particular, choose counsel or terms of the Act to use public defenders.

3. Everyone shall be presumed innocent until his guilt is determined by the final judgment of the court.

Art. 43 war crimes and crimes against humanity are not subject to the statute of limitations.

Art. 44. The statute of limitation for criminal offenses, not prosecuted for political reasons, committed by public officials or on their the order shall be suspended until such time as these causes.

Art. 45 1. Everyone has the right to a fair and public hearing without undue delay by a competent, independent, impartial and independent court.

2. Exclusion public nature of hearings may be made for reasons of morality, State security, public order or for the protection of life a private party, or other important private interest. The judgment shall be announced publicly.

Art. 46. Property may be forfeited only in cases specified in statute and only on the basis of a final court judgment.

Art. 47. Everyone has the right to legal protection of private and family life, honor and good reputation and to make decisions about his personal life.

Art. 48. 1. Parents have the right to educate their children according to their own convictions. Upbringing should respect the degree of maturity of the child, and as his freedom of conscience and belief and also his convictions.

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2. Limitation or deprivation of parental rights may be effected only in instances specified by statute and only on the basis of a final judgment court.

Art. 49 The freedom and privacy of communication. Their restriction may be imposed only in cases specified in the Act and manner specified therein.

Art. 50. The home is inviolable. A search of the apartment,

premises or vehicles may be made only in cases specified in and in a manner specified therein.

Art. 51. 1. No one may be obliged, except on the basis of the Act to disclose information concerning his person.

2. Public authorities shall not acquire, collect and share other information on citizens than necessary in a democratic state ruled by law.

3. Everyone has the right of access to official documents and data sets. The limitation of this right may be established by statute.

4. Everyone has the right to request the correction or deletion of information incorrect, incomplete or collected in a manner contrary to the law.

5. Principles and procedures for collection and sharing of information specified by statute.

Art. 52. 1. Everyone shall have freedom of movement within the territory Polish Republic and choose their residence and stay.

2. Everyone may freely leave the territory of the Polish Republic.

3. Freedom, referred to in paragraph. 1 and 2 may be subject to restrictions specified in the Act.

4. A Polish citizen may not be expelled from the country nor forbidden to return to country.

5. Anyone whose Polish origin has been confirmed in accordance with the law, may settle on Polish territory on a permanent basis.

Art. 53 1. Everyone shall have freedom of conscience and religion.

2. Freedom of religion includes the freedom to profess or accept religion according to his choice, and freedom, either individually or with others, publicly or privately, by worshiping, praying, observance, practice and teaching. Freedom of religion includes

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also the possession of sanctuaries and other places of worship, depending on the needs of the people and the right of believers to benefit from religious services, wherever they may They are located.

3. Parents have the right to ensure their children education and teaching moral and religious accordance with their convictions. The provision of Art. 48 paragraph. 1 shall apply accordingly.

4. The religion of a church or other religious association with regulated situation law can be taught in schools, but it can not be violated the freedom of conscience and religion of others.

5. The freedom to publicly express religion may be limited only by means

Act and only when it is necessary to protect the security of the state, public order, health, morals or the freedoms and rights of others.

6. No one shall be compelled to participate or not participate in religious practices.

7. No one may be compelled by public authorities to disclose his philosophy of life, religious convictions or belief.

Art. 54 1. Everyone shall have the freedom to express opinions, obtaining and disseminating information.

2. Preventive censorship of the means of social communication and the licensing the press are prohibited. Statutes may require prior licenses to operate radio or television station.

Art. 55 1. The extradition of a Polish citizen is prohibited, with the exception of the cases referred to in paragraph. 2 and 3.

2. The extradition of a Polish citizen can be made on the request of another State or an international judicial body, if such a possibility due to the ratified by the Republic of Polish international agreement or Act performing an act of positive law by an international organization, which Poland is a member, provided that the act covered by the request for Extradition:

- 1) was committed outside the territory of the Republic of Polish, and
- 2) constituted an offense under the laws of the Republic of Polish or would offense under the laws of the Republic of Polish when committed on

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Polish territory, both at the time of its commission, as well as at the time of application.

3. Does not require fulfillment of the conditions set out in paragraph. 2, point 1 and 2 of extradition having come at the request of an international judicial body established Based ratified by the Republic of Polish international agreement, Therefore, this body within the jurisdiction of the crime of genocide, crimes against humanity, war crime or crime of aggression.

4. Extradition is prohibited if the person suspected of committing without the use of violence for political reasons or making a will violate rights and freedoms of man and citizen.

5. On the admissibility of extradition by a court.

Art. 56. 1. Foreigners can be granted asylum in the Republic

Polish pursuant to the Act.

2. Foreigners who, in the Republic of Polish seek protection from oppression, may be granted refugee status in accordance with the binding Republic of Polish international agreements.

Freedoms and political rights

Art. 57 Everyone shall have the freedom of peaceful meetings and participate in them. The limitation of this freedom may define Act.

Art. 58 1. Everyone shall have the freedom of association.

2. Forbidden Associations whose purposes or activities are contrary to the Constitution or statute. About refusing registration or prohibiting activities such association by a court.

3. The Act defines the types of associations requiring court registration, a procedure that registration and the forms of supervision of such associations.

Art. 59. 1. The freedom of association in trade unions, socio-occupational organizations of farmers and in employers' organizations.

2. Trade unions and employers and their organizations have the right to bargain, particularly for the purpose of resolving collective disputes, and to conclude collective labor agreements and other arrangements.

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3. Trade unions shall have the right to organize strikes labor and other forms of protest within the limits specified in the Act. From in the public interest, statutes may limit the exercise of a strike or prohibit it in relation to certain categories of employees or in specific fields.

4. The scope of freedom of association in trade unions and organizations employers and other union freedom may be subject only to such statutory limitations as are permissible in which the Republic Polish international agreements.

Art. 60 Polish citizens enjoying full public rights shall have the right access to public service on equal terms.

Art. 61. 1. The citizen has the right to obtain information about the activities public authorities and persons holding public office. This law also it includes obtaining information about the activities of government bodies

economic and professional, as well as other persons or organizational units

the extent to which they perform the duties of public authorities and manage property municipal or State Treasury assets.

2. The right to obtain information shall ensure access to documents and admission to sittings of collective organs of public authority with universal elections, with the possibility of recording audio or video.

3. Limitations upon the rights referred to in paragraph. 1 and 2, may only be due to set out in laws to protect freedoms and rights of others and traders and the protection of public order, security or important economic interests of the state.

4. The procedure for the provision of information referred to in paragraph. 1 and 2, specified by statute, and with regard to the Sejm and the Senate by their rules.

Art. 62. 1. Polish citizen has the right to participate in the referendum and the right to elect the President of the Republic, deputies, senators and representatives to bodies of local self-government if later than on Election Day 18 years.

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2. The right to participate in a referendum and the right to elect not granted to persons, that a final judgment of a court incapacitation or deprived public or electoral rights.

Art. 63. Everyone has the right to submit petitions, requests and complaints in the interest of public, his own or another person with his consent for public authorities as well as to organizations and social institutions in connection with the performance of prescribed duties within the field of public administration. The procedures for considering petitions, requests and complaints shall be specified by statute.

Freedoms and rights of economic, social and cultural

Art. 64 1. Everyone has the right to ownership, other property rights and right of succession.

2. ownership, other property rights and the right of succession shall be equal for all legal protection.

3. The right of ownership may only be limited by law and only to the extent that which it does not violate the substance of ownership.

Art. 65 1. Everyone shall have the freedom of choice of profession and choice of employment. Exceptions shall be specified by statute.

2. An obligation to work may be imposed only by statute.

3. The permanent employment of children under the age of 16 is prohibited. The types and nature admissible employment shall be specified by statute.

4. A minimum level of remuneration for work or method of determining the amount determined by law.

5. Public authorities shall pursue policies aiming at full, productive employment by implementing programs to combat unemployment, including the organization of and support counseling and training as well as public works and economic intervention.

Art. 66. 1. Everyone has the right to safe and healthy working conditions. The realization of this right and the obligations of employers shall be specified by statute.

2. An employee has the right to statutorily specified days free from work and annual paid holidays; Maximum working time standards specified by statute.

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Art. 67. 1. The citizen has the right to social security in the event of inability to work due to illness or disability, and after reaching the retirement age. The scope and forms of social security specified by statute.

2. A citizen without work involuntarily and has no other means of subsistence has a right to social security, the scope and shall be specified by statute.

Art. 68. 1. Everyone has the right to health care.

2. citizens, irrespective of their material situation, public authorities They provide equal access to health care services funded public. Conditions and scope of services specified by statute.

3. Public authorities shall ensure special health care to children, pregnant women, people with disabilities and persons in the elderly.

4. Public authorities shall combat epidemic illnesses and prevent the negative health consequences of environmental degradation.

5. Public authorities support the development of physical culture, particularly among children and youth.

Art. 69 disabled persons to public authorities provide, in accordance with

statute, aid to ensure their subsistence, adaptation to work and social communication.

Art. 70 1. Everyone has the right to education. Education to 18 years of age is mandatory. The method of exercising compulsory schooling established by law.

2. Education in public schools is free. The law may allow provision of certain educational services by public institutions of higher payment.

3. Parents have the freedom to choose for their children schools other than public. Citizens and institutions shall have the right to establish primary secondary and higher education and educational institutions. Conditions establishment and operation of private schools and the involvement of public authorities in their financing, as well as the principles of educational supervision of such schools and educational, determined by law.

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4. Public authorities shall ensure universal and equal access to education. For this purpose, they establish and support systems for individual financial and organizational assistance to pupils and students. Terms assistance determined by law.

5. Provides autonomy of universities under the terms of the Act.

Art. 71. 1. State, in its social and economic policy takes into account the good of the family. Families, finding themselves in difficult material and social circumstances, especially with many children or a single parent have the right to special assistance from public authorities.

2. A mother, before and after birth, shall have the right to special assistance of authorities public, to the extent specified by statute.

Art. 72 1. The Republic of Poland shall ensure protection of the rights of the child. Everyone has the right to demand from public authorities to protect children against violence, cruelty, exploitation, and demoralization.

2. A child deprived of parental care has the right to care and assistance public authorities.

3. In the course of establishing the rights of the child, public authorities and individuals responsible for the child, shall consider and, if possible take into account the views of the child.

4. The Act specifies the competence and procedure for appointment of the Ombudsman

The child.

Art. 73. Everyone shall have the freedom of artistic creation, research and the publication of their results, the freedom to teach and freedom the use of cultural goods.

Art. 74. 1. Public authorities shall pursue policies ensuring the safety of Ecological current and future generations.

2. Protection of the environment is the responsibility of public authorities.

3. Everyone has the right to information about the environment and its protection.

4. Public authorities support the activities of citizens to protect and improve the state of the environment.

Art. 75 1. Public authorities shall pursue policies conducive to satisfying housing needs of citizens, in particular combating homelessness,

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support the development of social housing and supporting activities efforts to obtain their own homes.

2. Protection of the rights of tenants shall be established by law.

Art. 76. Public authorities shall protect consumers, users and tenants against activities threatening their health, privacy and safety, as well against unfair market practices. The scope of such protection shall be specified by statute.

Means of protection of freedoms and rights

Art. 77. 1. Everyone has the right to compensation for the damage it caused by the unlawful action of public authority.

2. Statutes shall not bar the way anyone violated judicial investigation freedoms or rights.

Art. 78. Each party has the right to appeal against judgments and decisions in the first instance. Exceptions to this rule and the appeal procedure established by law.

Art. 79 1. Anyone whose constitutional freedoms or rights have been violated, has the right, under the terms of the Act, refer to the Court Constitutional regarding the constitutionality of the Act or any other act normative, on the basis of which a court or organ of public administration has final decision on his freedoms or rights or on his obligations specified in The Constitution.

2. Paragraph. 1 does not apply to the rights specified in Art. 56.

Art. 80. Everyone has the right to apply the principles specified in the Act, to

Ombudsman for assistance in protection of his freedoms or rights infringed by public authorities.

Art. 81. The rights specified in Art. 65 paragraph. 4 and 5, Art. 66, Art. 69, Art. 71 and Art. 74-76 can be claimed within the limits specified in the Act.

Obligations

Art. 82. It is the duty of every Polish citizen allegiance to the Republic Polish and concern for the common good.

Art. 83. Everyone shall observe the rights of the Polish Republic.

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Art. 84. Everyone shall comply with his responsibilities and benefits public, including taxes, as specified in the Act.

Art. 85. 1. It is the duty of every Polish citizen to defend the Homeland.

2. Scope of the obligation of military service established by law.

3. Any citizen whose religious convictions or moral principles do not allow him to perform military service may be obliged to serve replacement on the terms specified in the Act.

Art. 86. Everyone is obliged to care for the environment and bears responsible for causing its degradation. The rules of this liability established by law.

Chapter III

SOURCES OF LAW

Art. 87 1. The sources of universally binding law of the Republic Polish shall be the Constitution, statutes, ratified international agreements, and Regulation.

2. The sources of universally binding law of the Republic of Polish are the territory of the bodies that adopted them, local law.

Art. 88. 1. The entry into force of statutes, regulations and legislation local is their ad.

2. The principles and procedures for promulgation of normative acts specified by statute.

3. International agreements ratified with prior consent granted Act shall be published in the procedures required for statutes. The principles of promulgation of other international agreements specified by statute.

Art. 89. 1. Ratification by the Republic of Polish and international agreements her termination requires the prior consent granted by statute, if the contract concerns:

- 1) peace, alliances, political or military treaties;
- 2) freedoms, rights or obligations of citizens specified in the Constitution,
- 3) The Republic of Polish membership in an international organization;
- 4) a significant burden on the State in terms of finance,
- 5) matters regulated by statute or those in which the Constitution requires legislation.

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2. The intention to submit to the President of the Republic for ratification international agreements whose ratification does not require consent granted

Act, the Prime Minister shall notify the Sejm.

3. The rules and procedures for the conclusion and renunciation agreements international specified by statute.

Art. 90. 1. The Republic of Poland may, on the basis of an international agreement delegate to an international organization or international body the competence of organs of State authority in certain matters.

2. A statute, granting consent for ratification of an international agreement, which referred to in paragraph. 1, is adopted by the Parliament by a majority of 2/3 of the votes in the presence of at least half of the statutory number of Deputies and the Senate by a 2/3 majority in the presence of at least half of the statutory number of senators.

3. Granting of consent for ratification of such agreement may also be passed in nationwide referendum in accordance with the provisions of Art. 125.

4. Resolution on the election procedure for granting consent to ratification shall be taken Sejm by an absolute majority of votes in the presence of at least half of the statutory number of Deputies.

Art. 91 1. Ratified international agreement, after its announcement in Official Gazette of the Republic of Polish, is part of the national legal and is applied directly, unless its application depends on the enactment of a statute.

2. An international agreement ratified upon prior consent granted Act takes precedence over statutes if this is incompatible with agreement.

3. If a treaty ratified by the Republic of Polish contract establishing an international organization, right by it shall be applied directly and have precedence in case of conflict of laws.

Art. 92 1. Regulations shall be issued by the authorities indicated in Constitution, on the basis of specific authorization contained in, and for its implementation. The authorization shall specify the organ appropriate to issue a Regulation and the scope of matters to be regulated and guidelines on the content of the act.

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2. The authority authorized to issue a regulation shall not delegate its competence, referred to in paragraph. 1, to another organ.

Art. 93. 1. Resolutions of the Council of Ministers and orders of the Prime Minister and ministers are internal in nature and are binding only those organizational units subordinate to the organ which issues such act.

2. Orders shall only be issued pursuant to the Act. They may not form the basis of decisions taken in respect of citizens, legal persons and other entities.

3. Resolutions and orders shall be subject to scrutiny regarding their compliance with universally applicable law.

Art. 94. The bodies of local self-government and territorial administration bodies the government, on the basis of and within limits specified by statute, establish acts of local law applicable in the area of operation. Rules and procedures for issuing local law specified by statute.

Chapter IV

Sejm and the Senate

Art. 95. 1. Legislative power is exercised in the Republic of Polish Sejm and Senate.

2. The Sejm shall exercise control over the activities of the Council of Ministers in the field specific provisions of the Constitution and laws.

Elections and term of office

Art. 96. 1. The Sejm consists of 460 deputies.

2. Elections to the Sejm shall be universal, equal, direct and proportional and shall be held by secret ballot.

Art. 97. 1. The Senate consists of 100 senators.

2. Elections to the Senate shall be universal, direct and shall be in by secret ballot.

Art. 98. 1. The Sejm and the Senate are elected for four-year terms. The term of office of the Sejm and Senate shall begin on the date of the Sejm assembles for its first sitting and They continue until the day preceding the meeting of the Sejm of the next term of office.

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2. Elections to the Sejm and the Senate ordered by the President of the Republic not later than 90 days before the expiry of four years from the start of the term of the Sejm and Senate, defining choices on a day off from work, and within a period 30 days before the expiry of four years from the start of the term of office of the Sejm and the Senate.

3. The Sejm may shorten its term by resolution passed by a majority of at least 2/3 of the votes of the statutory number of Deputies. Shortening the term of the Sejm means at the same time shortening the term of office of the Senate. The provision of paragraph. 5 shall apply accordingly.

4. The President of the Republic, after consultation with the Speaker of Parliament and Speaker of the Senate, may, in the cases specified in the Constitution, order shortening the term of the Sejm. With the shortening of the Sejm's term is shortened the term of office of the Senate.

5. The President of the Republic, ordering the shortening of the Sejm's term, manages while elections to the Sejm and Senate and sets the date for a day not later than within 45 days of ordering shortening the term of the Sejm.

President of the Republic shall convene the first meeting of the newly elected Sejm not later than the 15th day after elections were held.

6. In the event of shortening of the Sejm's term, the provisions of paragraphs. 1.

Art. 99 1. Elected to the Sejm may be a Polish citizen with a right to Dial, who no later than on election day ends 21 years.

2. Elected to the Senate may be a Polish citizen having the right to vote, who no later than on election day ends 30 years.

3. elected to the Sejm or the Senate can not be a person convicted a final judgment to imprisonment for an offense public prosecution.

Art. 100 1. Candidates for Deputies and Senators may be nominated parties political or voters.

2. You can not run simultaneously to the Sejm and the Senate.

3. The principles and procedure for nominating candidates and conducting the elections and the conditions of validity of the elections specified by statute.

Art. 101 1. The validity of the elections to the Sejm and the Senate Supreme Court.

2. A voter is entitled to propose to the Supreme Court

against the validity of the election in terms of the Act.

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MPs and senators

Art. 102. You can not be both a deputy and senator.

Art. 103. 1. Deputy mandate can not be combined with the function of President of the National Polish Bank, President of the Supreme Chamber of Control, the Ombudsman Citizens, the Ombudsman for Children and their deputies, a member of the Policy Monetary, member of the National Council of Radio Broadcasting and Television, ambassador, or with employment in the Chancellery of the Sejm, the Senate Chancellery, Office of the President Republic, or with employment in government administration. This prohibition does not It applies to members of the Council of Ministers and secretaries of state in government administration.

2. A judge, prosecutor, civil servant, soldier on active military service or functionary of the police and the state security service officer They can not exercise their parliamentary mandates.

3. Other instances prohibiting the mandate of the parliamentary functions public or prohibiting the exercise may be specified by statute.

Art. 104. 1. Members are representatives of the Nation. Not bound by any instructions voters.

2. Prior to the exercise of the mandate Members shall make to the Sejm the following oath:

"I do solemnly swear honestly and conscientiously perform my duties to
The nation, safeguard the sovereignty and interests of the State, to do everything for
Homeland prosperity and good citizens, to observe the Constitution and
other rights of the Polish Republic. "

The oath may be taken with the additional sentence "So help me God".

3. A refusal to take the oath means the renunciation of the mandate.

Art. 105. 1. Deputy shall not be held liable for their activities falling within the scope of a Deputy's mandate nor the time its duration, or when it expires. Regarding such activities, a Deputy only before the Sejm and, in case of violation of rights of third parties may be prosecuted only with the consent of the Sejm.

2. From the results of the elections until expiry of the mandate of deputy It can not be held without the consent of the Sejm to criminal liability.

3. Criminal proceedings instituted against a person before the day of his election as Deputy
It is at the request of the Sejm suspended until the expiry of the mandate. In this
the case shall be suspended for the time limitation period in
criminal proceedings.

4. A Deputy may consent to be brought to criminal liability.
In this case, do not apply the provisions of paragraph. 2 and 3.

5. A deputy may not be detained or arrested without the consent of the Sejm,
Except in flagrante delicto and in which his detention is
necessary to ensure the proper course of proceedings. Detention
immediately communicated to the Marshal of the Sejm, who may order an immediate
release of the detainee.

6. Detailed rules for bringing Deputies to criminal liability, and
the procedure established by law.

Art. 106. The conditions necessary for the effective discharge of duties
Deputies and protect the rights resulting from the exercise of the mandate is determined
Act.

Art. 107. 1. To the extent specified by statute, can not lead envoy
business of profiting from state or
local government or to acquire such property.

2. The violation of the prohibitions referred to in paragraph. 1, MP, resolution of the Sejm
taken at the request of the Marshal of the Sejm, be held accountable
before the Tribunal of State which shall adjudicate upon forfeiture of the mandate.

Art. 108. For the Senators, the provisions of Art. 103-107.

Organisation and operation

Art. 109. 1. The Sejm and the Senate shall debate at meetings.

2. The first sitting of the Sejm and the Senate President of the Republic convenes on
day within 30 days of the election, except in cases
as defined in Art. 98 paragraph. 3 and 5.

Art. 110. 1. The Sejm shall elect from among its members the Speaker of Parliament and
Deputy Marshals.

2. The Marshal of the Sejm shall preside over the proceedings of the Sejm, safeguard the rights of the Sejm as well represents Parliament on the outside.

3. The Sejm shall appoint standing committees and may also appoint special committees.

Art. 111 1. The Sejm may appoint an investigative committee to examine a particular case.

2. The mode of operation of a commission of inquiry established by law.

Art. 112. The internal organization and work of the Sejm and the procedure the appointment and activities of its organs, as well as how to perform constitutional and statutory responsibilities of national authorities towards the Sejm defined in the regulations adopted by the Sejm.

Art. 113. The meetings of the Parliament are public. In the interest of the state, The Sejm by an absolute majority of votes in the presence of at least half the statutory number of deputies to adopt the secrecy of deliberations.

Art. 114 1. In cases specified in the Constitution, the Sejm and the Senate, meeting jointly chaired by the Marshal of the Sejm, or in his absence the Marshal Senate, acting as the National Assembly.

2. The National Assembly shall adopt its own rules of procedure.

Art. 115. 1. The Prime Minister and other members of the Council of Ministers shall furnish answers to interpellations and Deputies' questions within 21 days.

2. The Prime Minister and other members of the Council of Ministers have an obligation to reply on current issues at each meeting Sejm.

Art. 116. 1. The Parliament decides on behalf of the Polish Republic a state of war and the conclusion of peace.

2. The Sejm may adopt a resolution on the state of war only in the event of armed aggression on Polish territory, or if the international agreements imply commitment to a common defense against aggression. If the Sejm can not assemble the meeting, a state of war President of the Republic.

Art. 117. The principles for the Armed Forces beyond the borders of the Republic Polish defines ratified international agreement or by statute. Rules of stay

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foreign troops on the territory of the Republic of Polish and principles of movement them through this territory specified by ratified agreements or statutes.

Art. 118. 1. Legislative initiative shall belong to Deputies, to the Senate, President of the Republic and the Council of Ministers.

2. introduce legislation shall also be a group of at least 100 000 citizens having the right to vote in the Sejm. Procedure in this case determined by law.

3. Applicants submitting a bill to the Sejm, show the effects of its financial performance.

Art. 119. 1. The Sejm shall consider the bill in three readings.

2. The right to introduce amendments to the bill during its consideration by the Sejm shall belong to its sponsor, Deputies and the Council of Ministers.

3. The Marshal of the Sejm may refuse to put to a vote any amendment which It has not previously been submitted to a committee.

4. The applicant may withdraw a bill in the proceedings legislative Sejm until the conclusion of the second reading of the draft.

Art. 120. The Sejm shall pass bills by a simple majority of votes in the presence of at least half of the statutory number of Deputies, unless the Constitution provides for another majority. The same procedure Parliament adopts resolutions, unless a statute or Resolution of the Sejm provide otherwise.

Art. 121. 1. A bill passed by the Sejm Marshal of the Sejm passes Senate.

2. The Senate, within 30 days of submission of a bill, may adopt it without change, adopt amendments or resolve upon its complete rejection. If the Senate within 30 days from the date of submission of the bill does not adopt an appropriate resolution, the bill shall be as adopted in the version adopted by the Sejm.

3. A resolution of the Senate rejecting a bill or an amendment proposed in the Senate shall be considered accepted unless the Sejm rejects it by an absolute majority of votes in the presence of at least half of the statutory number of Deputies.

Art. 122. 1. Upon completion of the procedure laid down in Art. 121 Marshal Sejm shall submit an adopted bill to the President of the Republic.

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2. The President of the Republic shall sign a bill within 21 days of the date of submission and order its promulgation in the Official Gazette of the Republic Polish.

3. Before signing a bill, the President of the Republic may request the Constitutional Court with a proposal for its conformity to the The Constitution. President of the Republic shall not refuse to sign the law, which the Constitutional Court found to be compatible with the Constitution.

4. The President of the Republic shall refuse to sign a bill, which the Court Constitutional Court held unconstitutional. However, if non-compliance with Constitution relates to particular provisions of the Act, and the Constitutional Court has not judged that they are inseparably connected with the whole bill, President Republic, after consultation with the Speaker of the Sejm, shall sign a bill with without regard as inconsistent with the Constitution or the law calls Sejm to remove inconsistencies.

5. If the President of the Republic has not made reference to the Court Constitutional accordance with para. 3, can communicate with reasons a bill to the Sejm for reconsideration. Once the law is passed by Parliament by a 3/5 majority of votes in the presence of at least half of the statutory number of Deputies President of the Republic within seven days sign a bill and manages its promulgation in the Official Gazette of the Polish Republic. In the event of another adoption of the bill by the Sejm President of the Republic is not entitled to the right to apply to the Constitutional Tribunal in accordance with para. 3.

6. Address by the President of the Republic to the Constitutional Tribunal the proposal on conformity to the Constitution or a request to Parliament for reconsideration of the Act shall cease to run, specified in the paragraph. 2, the deadline for to sign the law.

Art. 123. 1. The Council of Ministers may consider his proposal adopted Act as urgent, with the exception of tax bills, laws on election of the President of the Republic, the Sejm, the Senate and local government bodies government, bills governing the structure and jurisdiction of public authorities, as well as codes of conduct.

2. Terms of the Sejm and the Senate shall define the rules of the the legislative procedure on the draft as urgent.

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3. In the proceedings on the law, the draft of which has been classified as urgent, the deadline for its consideration by the Senate is 14 days and the period for its signature by

President of the Republic shall be 7 days.

Art. 124. The Senate shall apply the provisions of art. 110, Art. 112, Art. 113 and Art. 120.

Referendum

Art. 125. 1. In matters of particular importance for the state may be a nationwide referendum.

2. The national referendum has the right to order the Sejm by an absolute majority of votes in the presence of at least half of the statutory number of deputies or President of the Republic with the consent of the Senate expressed absolute majority votes in the presence of at least half of the statutory number of senators.

3. If a nationwide referendum was attended by more than half the right to vote, the outcome of the referendum is binding.

4. The validity of a nationwide referendum and the referendum referred to in Art. 235, para. 6 Supreme Court.

5. The principles and procedures for conducting a referendum shall be specified by statute.

Chapter V

POLISH PRESIDENT OF THE REPUBLIC

Art. 126. 1. President of the Republic of Poland is the representative of the Polish Republic and the guarantor of the continuity of power state.

2. The President of the Republic shall ensure observance of the Constitution, stands on guard the sovereignty and security of the State and the integrity and of its territory.

3. The President shall exercise its functions in the field and on the principles laid down in the Constitution and statutes.

Art. 127. 1. President of the Republic is elected by the Nation in universal suffrage, equal, direct and secret ballot.

2. The President of the Republic is elected for a five-year term and can be re-elected only once.

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3. The President of the Republic may be elected a Polish citizen who no later than the day of the elections, has attained 35 years of age and enjoys full voting rights to Sejm. Candidature shall be at least 100 000 citizens having the right to elect the President of the Republic.

4. The President of the Republic shall be elected the candidate who received the more than half of the valid votes cast. If none of the candidates obtains the required majority, the fourteenth day after the first ballot carried out a re-vote.

5. The re-ballot shall be made among the two candidates, who in the first ballot received the largest number of votes. If either of these two candidates withdraws his consent to candidacy, forfeits the right to vote or die, in its place until the elections in the repeat ballot by the candidate who received the largest number of votes in the first ballot. In this case, the date of the repeat ballot shall be a further 14 days.

6. The President of the Republic shall be elected candidate, who in repeat ballot received more votes.

7. Rules and procedure for nominating candidates and conducting the elections and the conditions of validity of the election of the President of the Republic established by law.

Art. 128. 1. The term of office of the President of the Republic shall commence on the date of his assuming office.

2. Election of the President of the Republic ordered by the Marshal of the Sejm per day no sooner than 100 days and not later than 75 days before the expiry the term of office of the President of the Republic, and in case of vacancy in the office President of the Republic - not later than the fourteenth day thereafter office, specifying the date of the election on a day off from work falling within 60 days from the day of ordering the election.

Art. 129. 1. The validity of the election of the President of the Republic says court Highest.

2. A voter is entitled to propose to the Supreme Court the validity of the election of the President of the Republic under the terms of in the Act.

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3. In the event of the annulment of the election of the President of the Republic New elections are carried out under the conditions laid down in Article. 128 paragraph. 2 for a vacancy in the office of President of the Republic.

Art. 130. The President of the Republic shall assume office upon submission to National Assembly the following oath:

"Assuming, by the will of the Nation, the office of the President of the Republic of Polish,

I do solemnly swear to be faithful to the provisions of
 Constitution, I will steadfastly safeguard the dignity of the Nation, the independence and
 Your safety and the good of the Homeland and the prosperity of its citizens
 They shall forever remain my supreme obligation. "

The oath may be taken with the additional sentence "So help me God".

Art. 131. 1. If the President of the Republic is temporarily unable to
 exercise authority shall notify the Speaker of the Sejm, who temporarily
 assume the duties of President of the Republic. When the President of the Republic
 it is not in a position to inform the Speaker of Parliament about the impossibility of office
 The finding of the obstacles in the exercise of office by the President
 The Constitutional Court of the Republic shall decide on the request of the Marshal of the Sejm.
 Where the temporary inability of office by the President
 The Constitutional Court of the Republic of the Marshal of the Sejm
 temporarily performing the duties of the President of the Republic.

2. The Marshal of the Sejm shall, until the election of a new President
 Commonwealth, perform the duties of President of the Republic in the event of:

- 1) death of the President of the Republic,
- 2) resignation from office by the President of the Republic,
- 3) the annulment of the election of the President of the Republic or other
 reasons for not assuming office following the election,
- 4) a declaration by the National Assembly permanent incapacity of the President
 To exercise his duties due to poor health, the resolution
 passed by a majority of at least 2/3 of the votes of the statutory number of members
 The National Assembly,
- 5) dismissal of the President of the Republic from office by a judgment of the Court of State.

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3. If the Marshal of the Sejm is unable to discharge the duties of the President
 Commonwealth takes over the duties of the Speaker of the Senate.

4. The person performing the duties of the President of the Republic shall not
 shorten the term of the Sejm.

Art. 132. The President of the Republic shall hold no other
 offices nor discharge any public functions, with the exception of those that are associated with
 duties of his office.

Art. 133. 1. President of the Republic as a representative of the State in external relations:

- 1) ratify and renounce international agreements, and shall notify the Sejm and The Senate,
- 2) appoint and dismiss plenipotentiary representatives of the Polish Republic in other countries and international organizations;
- 3) receive the Letters of Credence and recall accredited to him representatives Diplomatic other Member and organizations international.

2. The President of the Republic, before ratifying an international agreement may apply to the Constitutional Court with a request on its compliance with the Constitution.

3. The President of the Republic in foreign policy interacts with The Prime Minister and the appropriate minister.

Art. 134. 1. President of the Republic shall be the Supreme Forces Polish Army.

2. In times of peace, President of the Republic shall exercise sovereignty over Armed Forces through the Minister of National Defence.

3. The President of the Republic shall appoint the Chief of the General Staff and commanders Armed Forces kinds of limited duration. The term of office, terms and conditions dismissal before the end thereof specified by statute.

4. At the time of war the President of the Republic, on request of the Prime Ministers are appointed by the Supreme Commander of the Armed Forces. The same procedure can It Supreme Commander of the Armed Forces appealed. Powers of the Chief

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Commander of the Armed Forces and the principles of its subordination to constitutional organs Polish Republic established by law.

5. The President of the Republic, on request of the Minister of Defence, gives as defined in the statutes military ranks.

6. The authority of the President of the Republic, regarding his supreme over the Armed Forces, specifically defined by law.

Art. 135. The advisory organ to the President of the Republic regarding internal and external security of the state is the Security Council National.

Art. 136. In the event of a direct external threat to the State President

Republic, on request of the Prime Minister, order a general or partial mobilization and deployment of the Armed Forces to defend the Polish Republic.

Art. 137. The President of the Republic shall grant Polish citizenship and expresses consent for renunciation of Polish citizenship.

Art. 138. The President of the Republic shall confer orders and decorations.

Art. 139. The President of the Republic shall have the power of pardon. Rights grace of not shall apply to persons convicted by the Tribunal of State.

Art. 140. The President of the Republic may deliver a Message to the Sejm, to the Senate or to the National Assembly. Message shall not be subject to debate.

Art. 141. 1. In matters of particular importance President of the Republic may convene the Cabinet Council. The Cabinet Council composed of the Council of Ministers Councils under the chairmanship of the President of the Republic.

2. The Cabinet Council shall not possess the competence of the Council of Ministers.

Art. 142. 1. The President of the Republic shall issue regulations and executive orders under the terms of Art. 92 and Art. 93.

2. The President of the Republic shall issue provisions for the implementation of his other authorities.

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Art. 143. The auxiliary organ of the Chancellery of the President of the Republic President of the Republic. President of the statute Law Firm and appoint and dismiss the Chief of the Chancellery of the President of the Republic.

Art. 144. 1. President Commonwealth, using from his constitutional and statutory authority, shall issue Official Acts.

2. Official Acts of the President shall require for their validity signature of the Prime Minister who, by such signature, accepts responsibility before the Parliament.

3. Paragraph. 2 shall not apply to:

- 1) proclaiming elections to the Sejm and Senate,
- 2) convene the first meeting of the newly elected Sejm and Senate,
- 3) shortening the term of the Parliament in the cases provided for in the Constitution;

- 4) legislative initiative,
- 5) the management of a nationwide referendum.
- 6) signing or refusing to sign a bill,
- 7) publication of the law and the management of an international agreement in the Official
The Polish Republic,
- 8) request Message to the Sejm, to the Senate or the Assembly
National
- 9) application to the Constitutional Court,
- 10) the request for verification by the Supreme Chamber of Control,
- 11) nominating and appointing the Prime Minister,
- 12) accepting resignation of the Council of Ministers and its provisional
duties,
- 13) requesting the Sejm to hold responsible before the Court
A member state of the Council of Ministers,
- 14) dismissal of a minister in whom the Sejm has passed a vote of no confidence,
- 15) convening the Cabinet Council,
- 16) award orders and decorations,
- 17) the appointment of judges,
- 18) The application of the law of grace,
- 19) granting Polish citizenship and giving consent for renunciation of
Polish citizenship

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- 20) the appointment of the First President of the Supreme Court,
- 21) appointing the President and Vice-President of the Constitutional Court,
- 22) appointing the President of the Supreme Administrative Court,
- 23) appointing presidents and vice-presidents of the Supreme Court Chief
Administrative Court,
- 24) requesting the Sejm to appoint the President of the Polish National Bank,
- 25) appointing members of the Monetary Policy Council,
- 26) appoint and dismiss members of the National Security Council,
- 27) the appointment of members of the National Council for Radio and Television,
- 28) the statute of the Presidential Chancellery and appointing or
dismissing the Chief of the Chancellery of the President of the Republic,
- 29) issue orders under the terms of Art. 93,
- 30) resigning from the office of President of the Republic.

Art. 145 1. President of the Republic for violation of the Constitution, laws or

an offense may be held accountable before State Tribunal.

2. Placing President of the Republic may be indicted the resolution of the National Assembly, passed by a majority of at least 2/3 of the votes the statutory number of members of the National Assembly at the request of at least 140 members of the National Assembly.

3. From the date of adoption of the resolution on putting the President of the Republic indicted before the State Tribunal to hold office by the President Republic shall be suspended. The provision of Art. 131 shall apply accordingly.

Chapter VI

COUNCIL OF MINISTERS AND GOVERNMENT ADMINISTRATION

Art. 146. 1. The Council of Ministers conducts internal and foreign policy Polish Republic.

2. The Council of Ministers shall conduct the affairs of State not reserved for other state bodies and local self-government.

3. The Council of Ministers shall manage the government administration.

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4. To the extent and on the terms specified in the Constitution and statutes, the Council Ministers, in particular:

- 1) ensure the implementation of laws,
- 2) issue regulations;
- 3) coordinate and supervise the work of government bodies,
- 4) protect the interests of the Treasury,
- 5) adopt the draft state budget,
- 6) supervise the implementation of the State Budget and pass a resolution closing of accounts state and report on the implementation of the budget,
- 7) ensure the internal security of the state and public order;
- 8) ensure the external security of the state,
- 9) exercise general control in the field of relations with other countries and international organizations;
- 10) conclude international agreements requiring ratification and approves and renounce other international agreements;
- 11) exercise general control in the field of national defense and determines annually the number of citizens appointed to active military service,

12) defines the organization and the manner of their work.

Art. 147 1. The Council of Ministers consists of the Prime Minister and ministers.

2. The Council of Ministers may be appointed Deputy Prime Ministers.

3. The President and Deputy Prime Ministers may also discharge the functions of a minister.

4. The Council of Ministers may also be appointed chairman committees specified in statutes.

Art. 148. The Prime Minister:

1) represent the Council of Ministers,

2) manage the work of the Council of Ministers,

3) issue regulations;

4) ensure implementation of the policies of the Council of Ministers and specify the manner of its

Exercise,

5) coordinate and control the work of members of the Council of Ministers,

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6) supervise the local government within the limits and forms under the Constitution and laws,

7) is the official head of government administration employees.

Art. 149. 1. Ministers shall direct a particular branch of government administration or perform tasks allocated to them by the Prime Minister. Scope actions minister directing a branch of government administration specified by statute.

2. A minister directing a branch of government administration shall issue regulations. The Council of Ministers, at the request of the Prime Minister, may repeal a regulation or order of a minister.

3. The chairman of the committee, referred to in Art. 147, para. 4, was the provisions applicable to a minister directing a branch of government government.

Art. 150. Member of the Council of Ministers can not perform any activity inconsistent with his public duties.

Art. 151. The Prime Minister, Deputy Prime Ministers and ministers to the President of the Republic consists of the following oath:

"Assuming the office of the Prime Minister (Deputy Prime Minister, minister), solemnly I swear I I shall preserve faithfulness

provisions of the Constitution and other laws of the Republic of Polish, and the good of the Homeland and the prosperity of its citizens shall forever remain supreme obligation. "

The oath may be taken with the additional sentence "So help me God".

Art. 152. 1. Representative of the Council of Ministers in the region is the province governor.

2. The procedure for appointment and dismissal of governors and scope sets Act.

Art. 153. 1. In order to ensure a professional, diligent, impartial and politically neutral discharge of the State administration offices government operates corps of civil servants.

2. The Prime Minister is the head of civil service corps.

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Art. 154. 1. President of the Republic shall nominate a Prime Minister, which suggests the Council of Ministers. President of the Republic appoints Prime Minister along with other members of the Council of Ministers within 14 days from the date of the first sitting of the Sejm or accept the resignation of the previous Council Ministers and receives oaths of office of members of the newly appointed Council of Ministers.

2. The Prime Minister shall, within 14 days of the appointment by the President Republic, submit a program to the Parliament of action the Council of Ministers a motion requiring a vote of confidence. The Sejm passes a vote of confidence absolute majority of votes in the presence of at least half the statutory number Members.

3. In the event that a Council of Ministers in accordance with para. 1 or not granting her a vote of confidence in accordance with para. 2 Sejm, within 14 days of the expiry of the deadlines referred to in paragraph. 1 or mouth. 2 chooses the Prime Minister and proposed by its members of the Council of Ministers by an absolute majority votes in the presence of at least half of the statutory number of Deputies. President Republic shall appoint the Council of Ministers so chosen and accept the oaths of her members.

Art. 155. 1. In the event that a Council of Ministers in accordance with art. 154, para. 3 President of the Republic within 14 days, appoint a Prime Minister and, on his application, other members of the Council of Ministers and accept their oath. The Sejm, within 14 days of the appointment of the Council of Ministers by the President

Of the Republic grants a vote of confidence by a majority of votes in the presence of at least half of the statutory number of Deputies.

2. In the event of failure Council of Ministers vote of confidence in accordance with referred to in paragraph. 1, the President of the Republic shall shorten the term of office of the Sejm and order elections.

Art. 156. 1. Members of the Council of Ministers shall be accountable to the Tribunal of State for infringement of the Constitution or statutes, as well as criminal committed in connection with the position.

2. A resolution to pull a member of the Council of Ministers to account Parliament before the State Tribunal shall, at the request of the President of the Republic or at least 115 members by a 3/5 majority of the statutory number of Deputies.

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Art. 157. 1. Members of the Council of Ministers shall before the Sejm responsibility for the activities of the Council of Ministers.

2. Members The Council of Ministers bear before the Sejm also personal responsibility for matters falling within their competence or assigned to them by the Prime Minister.

Art. 158. 1. The Sejm shall vote of no confidence by a majority statutory number of Deputies, on a motion by at least 46 deputies and indicating the name of a candidate for Prime Minister. If the resolution was adopted by the Parliament, President of the Republic shall accept the resignation of the Council of Ministers and chosen by the Sejm appoints a new Prime Minister, and on his the request of the other members of the Council of Ministers and accept their oath of office.

2. The application for adoption of the resolution referred to in paragraph. 1, may be put under vote no sooner than 7 days after the date of its notification. Renewed the application may be submitted no sooner than after 3 months from the date filing of the previous application. A subsequent motion may be submitted before end of 3 months if such motion is at least 115 deputies.

Art. 159. 1. The Sejm may pass a vote of no confidence in the minister. Application for a vote of no confidence may be submitted by at least 69 deputies.

The provision of Art. 158, paragraph. 2 shall apply accordingly.

2. The President of the Republic shall recall a minister in whom the Sejm has passed a vote confidence by a majority of votes of the deputies.

Art. 160. The Prime Minister may ask the Sejm a

Council of Ministers vote of confidence. Granting a vote of no confidence in the Council of Ministers a majority of votes in the presence of at least half the statutory number

Members.

Art. 161. The President of the Republic, at the request of the Prime Minister, makes changes in the composition of the Council of Ministers.

Art. 162. 1. The Prime Minister shall submit the resignation of the Council of Ministers on the first meeting of the newly elected Sejm.

2. The Prime Minister shall submit the resignation of the Council of Ministers if:

- 1) passed by the Sejm vote of no confidence in the Council of Ministers,
- 2) when a vote of no confidence in the Council of Ministers,

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3) The resignation of the Prime Minister.

3. The President of the Republic, when accepting the resignation of the Council of Ministers, continue with its duties until a new Council of Ministers.

4. The President of the Republic, in the case referred to in paragraph. 2 point 3 may refuse to accept the resignation of the Council of Ministers.

Chapter VII

LOCAL GOVERNMENT

Art. 163. Local government shall perform public tasks not reserved by the Constitution or statutes to the organs of other public authorities.

Art. 164. 1. The basic unit of local government is the municipality.

2. Other units of regional or local and regional sets

Act.

3. The commune shall perform all tasks of local government not reserved to other units of local government.

Art. 165. 1. Local government units have legal personality. They shall have the right of ownership and other property rights.

2. The self-government units shall be protected judicial review.

Art. 166. 1. Public duties aimed at satisfying the needs of the community self-government shall be exercised by a local authority as own tasks.

2. If it follows the legitimate needs of the state, a statute may instruct units of local government to perform other public duties.

The Act specifies the mode of transfer and manner of performance of the duties.

3. jurisdictional disputes between units of local government and government administration Administrative courts shall decide.

Art. 167. 1. Units of local government provides to be involved in public funds adequate for their tasks.

2. The revenues of units of local government are their own revenues as well general subsidies and specific grants from the state budget.

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3. sources of revenues for units of local government shall be specified in Act.

4. Changes in the tasks and responsibilities of local government units in conjunction with appropriate alterations to their share of public revenues.

Art. 168. Local government units have the right to determine the amount of local taxes and fees to the extent specified in the Act.

Art. 169. 1. Local government units shall perform their duties through constitutive and executive organs.

2. Elections to constitutive organs shall be universal, equal, direct and They shall be held by secret ballot. The principles and procedures for submitting candidates and the conduct of elections and the conditions for the validity of elections determined by law.

3. The rules and procedures for the election and dismissal of executive organs units of local government shall be specified by statute.

4. The internal organizational structure of local government units shall determine, in statutory limits, by their constitutive organs.

Art. 170. Members of the self-governing community may decide, by means referendum, matters concerning their community, including the dismissal derived from the direct election of local government authority. Rules and procedures for conducting a local referendum shall be specified by statute.

Art. 171. 1. The activities of local self-government shall be subject point The legality.

2. The bodies of supervision over the activities of local government units are The Prime Minister and voivodes and regarding financial matters Regional chambers of accounts.

3. The Sejm, on request of the Prime Minister, may terminate the authority representing local government if it has flagrantly violated the Constitution

or a statute.

Art. 172 1. Local government units have the right to associate.

2. The local government has the right to join international associations of local and regional cooperation with local and regional communities of other states.

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3. The rules under which local governments can use the rights referred to in paragraph. 1 and 2, specified by statute.

Chapter VIII

Courts and Tribunals

Art. 173. The courts and tribunals shall constitute a separate power and shall be independent of other authorities.

Art. 174. The courts and tribunals shall pronounce judgments in the name of the Republic Polish.

The courts

Art. 175. 1. The administration of justice in the Republic of Polish exercise The Supreme Court, the common courts, administrative courts and military courts.

2. Extraordinary courts or summary procedures may be established only during a time of war.

Art. 176. 1. Court proceedings have at least two stages.

2. The organizational structure and jurisdiction as well as procedure of the courts determine the Act.

Art. 177. The common courts shall justice for all matters save for those statutorily reserved to other the courts.

Art. 178. 1. Judges in the exercise of their office, are independent and subject only to the Constitution and statutes.

2. Judges shall be provided working conditions and remuneration corresponding to the dignity of their office and the scope of their duties.

3. A judge shall not belong to a political party, trade union or perform public activities incompatible with the principles of independence courts and judges.

Art. 179. Judges shall be appointed by the President of the Republic on the request of the National Judicial Council, for an indefinite period.

Art. 180. 1. Judges shall not be removable.

2. a judge from office, suspension from office, transfer to another bench or position against his will, may only occur ordered by a court and only in cases specified in the Act.

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3. A judge may be retired as a result of prevents him discharging his office of illness or infirmity. Mode conduct and way of appeal to a court established by law.

4. The Act specifies the age limit beyond which a judge shall proceed in retired.

5. In the event of changes in the court system or changes to the boundaries of court districts slow judge to another court or retired with maintenance of his full remuneration.

Art. 181. A judge shall not, without the prior consent of the court specified in statute, be held criminally responsible or deprived of liberty. Judge may not be detained or arrested, except in flagrante offense and if his detention is necessary to ensure the proper course of action. The detention shall be immediately communicated to the president of the competent local court may order an immediate release of the detainee.

Art. 182. The participation of citizens in the administration of justice determines Act.

Art. 183. 1. The Supreme Court supervises the activity of courts common and military rule in the area.

2. The Supreme Court shall also perform other activities specified in the Constitution and laws.

3. First President Court Supreme appointed President Republic for a six-year term from among candidates proposed by the General Assembly of Judges of the Supreme Court.

Art. 184. The Supreme Administrative Court and other administrative courts exercise, to the extent specified by statute, control business administration public. This control also includes judgments on the conformity to statute of resolutions bodies of local self-government and normative acts of territorial organs government administration.

Art. 185. The President of the Supreme Administrative Court appointed by the President

Art. 186. 1. The National Council of the Judiciary shall safeguard the independence of courts and judges.

2. The National Council of the Judiciary may apply to the Constitutional Court the proposal on compliance with the Constitution of normative acts to the extent that so far as they relate to the independence of courts and judges.

Art. 187. 1. The National Council of the Judiciary consists of:

- 1) First President of the Supreme Court, the Minister of Justice, President Supreme Administrative Court and an individual appointed by the President Commonwealth,
- 2) fifteen members elected from among the judges of the Supreme Court, courts general, administrative courts and military courts;
- 3) four members elected by Parliament from among members and two members elected by the Senate from amongst its Senators.

2. National Judicial Council shall elect from among its members Chairman and two Vice-Presidents.

3. The term of office of the elected members of the National Judicial Council shall be four years.

4. The organizational structure, scope of activity and mode of operation of the National Council of the Judiciary and manner of choosing its members is determined by statute.

The Constitutional Court

Art. 188. The Constitutional Tribunal shall adjudicate regarding the following matters:

- 1) the conformity of statutes and international agreements to the Constitution;
- 2) conformity of a statute to ratified international agreements whose ratification required prior consent granted by statute;
- 3) the conformity of legal provisions issued by central State organs to the Constitution, ratified international agreements and statutes;
- 4) compliance with the Constitution of the purposes or activities of political parties
- 5) The constitutional complaint, referred to in Art. 79 paragraph. 1.

Art. 189. The Constitutional Tribunal shall settle disputes over authority between central constitutional organs of the State.

Art. 190 1. Decisions of the Constitutional Court shall be universally binding and final.

2. Judgments of the Constitutional Tribunal regarding matters specified in Art. 188 shall be immediately published in the official publication in which the act standard was promulgated. If the act has not been promulgated, then the judgment shall be published in Official Journal of the Republic of Polish "Polish Monitor".

3. The decision of the Constitutional Court shall enter into force on the day publication, however, the Constitutional Court may specify another date for power loss the current normative act. The term does not exceed eighteen months in relation to a statute when it comes to any other normative act - twelve months. In the case of judgments that involve no financial outlay provided for in the Budget, the Constitutional Court set a deadline of the binding force of a normative act after hearing the opinion of the Council Ministers.

4. A judgment of the Constitutional Court on unconstitutionality. an international agreement or statute, of a normative act under which the legally effective judgment of a court, a final administrative decision or settlement of other matters, is the basis for the resumption of proceedings, quashing the decision or other settlement in a manner and on principles specified in provisions applicable to the given proceedings.

5. Decisions of the Constitutional Court by a majority vote.

Art. 191. 1. With the proposal in the matters referred to in Art. 188 to The Constitutional Tribunal may:

- 1) President of the Republic, the Marshal of the Sejm, the Speaker of the Senate, Chairman of the Board Minister, 50 Deputies, 30 Senators, the First President of the Supreme Court, President of the Supreme Administrative Court, the Attorney General, the President of Supreme Chamber of Control, the Ombudsman,
- 2) National Council of the Judiciary, to the extent referred to in Art. 186, para. 2
- 3) the constitutive organs of local government units,
- 4) the national organs of trade unions and national authorities employers' organizations and professional organizations,
- 5) churches and religious organizations;
- 6) The entities referred to in Art. 79 to the extent specified therein.

2. The entities referred to in paragraph. 1 item 3-5, may make such application if the normative act relates to issues within their scope of action.

Art. 192. With the proposal in the matters referred to in Art. 189, the Court Constitutional may occur: President of the Republic, the Marshal of the Sejm, Speaker of the Senate, the Prime Minister, the First President of the Supreme Court, President of the Supreme Administrative Court and the President of the Supreme Chamber of Control.

Art. 193. Any court may question the Constitutional Court Legal as to the conformity of a normative act to the Constitution, ratified international agreements or statute, if the answer to a legal question It depends on the outcome of the case pending before the court.

Art. 194. 1. The Constitutional Court consists of 15 judges elected individually by the Sejm for nine years from among persons distinguished by their knowledge firm. The re-election to the composition of the Court is inadmissible.

2. The President and Vice-President of the Constitutional Court appointed by the President The Republic from among candidates proposed by the General Assembly Judges of the Constitutional Court.

Art. 195. 1. The judges of the Constitutional Court in the exercise of their office, shall be independent and subject only to the Constitution.

2. Judges of the Constitutional Court provides working conditions and remuneration consistent with the dignity of their office and the scope of their duties.

3. The judges of the Constitutional Court during assume the position of not They may belong to a political party, trade union or perform activities Public incompatible with the principles of independence of courts and judges.

Art. 196. The judge of the Constitutional Court can not, without the prior approval of the Constitutional Court, be held criminally responsible or deprived of his liberty. A judge can not be detained or arrested, Except in flagrante delicto, if his detention is necessary to ensure the proper course of proceedings. Detention immediately communicated to the President of the Constitutional Court, which can order an immediate release.

Art. 197. The organization of the Constitutional Court and the procedure before the Court specified by statute.

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State Court

Art. 198. 1. For violation of the Constitution or the law, in connection with their position or in terms of his tenure, the constitutional responsibility before the Tribunal of State: the President of the Republic, the Prime Ministers and members of the Council of Ministers, the President of the Polish National Bank, President of the Supreme Chamber of Control, members of the National Council for Radio and Television, a person whom the Prime Minister has entrusted management over a ministry, and Supreme Commander of the Armed Forces.

2. constitutionally accountable to the Tribunal of State also MPs and senators to the extent specified in Art. 107.

3. The types of punishment which the Tribunal of State shall be determined by law.

Art. 199. 1. The Tribunal of State consists of a chairman, two deputies Chairman and 16 members chosen by the Sejm from amongst those deputies and Senators on the term of office of the Sejm. Deputy Chairman of the Tribunal and at least half of the members of the Tribunal shall possess the qualifications required to hold the office of judge.

2. The Chairman of the Tribunal of State is the First President of the Supreme Court.

3. The members of the Tribunal of State in the exercise of their office as judges of the Court They shall be independent and subject only to the Constitution and statutes.

Art. 200. Member of the Tribunal of State can not be without the prior consent State Tribunal held criminally responsible nor deprived of liberty.

Member of the Tribunal of State shall be neither detained nor arrested, except in flagrante delicto, if his detention is necessary

to ensure the proper course of proceedings. About stopped immediately shall notify the President of the Tribunal of State, who may order immediate release of the detainee.

Art. 201. The organization of the Tribunal of State, and the procedure before Tribunal established by law.

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ORGANS OF STATE CONTROL AND FOR DEFENCE OF RIGHTS**The Supreme Chamber of Control**

Art. 202 1. The Supreme Chamber of Control is the supreme organ of control state.

2. The Supreme Chamber of Control shall be subordinate to the Sejm.

3. The Supreme Chamber of Control operates on the basis of collegiality.

Art. 203. 1. The Supreme Chamber of Control shall audit the activity of the organs government administration, the Polish National Bank, other state institutions and other State organizational units regarding the legality, economy, efficiency and diligence.

2. The Supreme Chamber of Control may audit the activity of local self-government bodies government, communal legal persons and other municipal units organization from the point of view of legality, efficiency and reliability.

3. The Supreme Chamber of Control may also audit from the point of view legality and economic activity of other organizational units and operators in the extent to which they use property or resources State or communal fulfill their financial obligations to the state.

Art. 204 1. The Supreme Chamber of Control shall present to the Sejm:

- 1) an analysis of the state budget execution and monetary policy,
- 2) an opinion concerning discharge for the Council of Ministers,
- 3) information on the results of audits, conclusions and submissions specified by statute.

2. The Supreme Chamber of Control presents to the Parliament an annual report on its activities.

Art. 205. 1. President of the Supreme Chamber of Control shall be appointed by the Sejm consent of the Senate for six years and may be reappointed only once.

2. The President of the Supreme Chamber of Control shall not hold any other post, except for a professorship in an institute of higher education, nor perform any other activities unions.

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3. The President of the Supreme Chamber of Control shall not belong to a political party, a trade union or perform public activities incompatible

the dignity of his office.

Art. 206. The President of the Supreme Chamber of Control can not be without the prior consent Sejm held criminally responsible nor deprived of liberty. President Supreme Chamber of Control shall not be detained or arrested, except in flagrante delicto and in which his detention is necessary to ensure the proper course of proceedings. About stopped immediately communicated to the Marshal of the Sejm, who may order an immediate release detainee.

Art. 207. The organization and mode of operation of the Supreme Chamber of Control shall be specified Act.

Ombudsman

Art. 208. 1. The Ombudsman shall safeguard the freedoms and rights persons and citizens specified in the Constitution and other acts normative.

2. The scope and mode of action of the Ombudsman determined by law.

Art. 209. 1. The Ombudsman is appointed by the Sejm consent of the Senate for five years.

2. The Ombudsman shall not hold any other post, except for a professorship in an institute of higher education, nor perform any other activities unions.

3. The Ombudsman shall not belong to a political party, a trade union or perform public activities incompatible the dignity of his office.

Art. 210. The Ombudsman is independent in its operations, independent of other State organs and is answerable only to the Sejm in terms of the Act.

Art. 211. The Ombudsman can not be without the prior consent Sejm held criminally responsible nor deprived of liberty. Spokesman Civil rights can not be detained or arrested, with the exception of:

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him in flagrante delicto and in which his detention is necessary for to ensure the proper course of proceedings. About stopped immediately communicated to the Marshal of the Sejm, who may order an immediate release detainee.

Art. 212. The Ombudsman annually inform the Sejm and the Senate about its activities and on the observance of human rights and freedoms and citizen.

National Council of Radio and Television

Art. 213. 1. The National Council of Radio Broadcasting and Television shall safeguard the freedom of speech, the right to information and the public interest in radio and television.

2. The National Council of Radio Broadcasting and Television shall issue regulations and, in cases individual adopts resolutions.

Art. 214. 1. Members of the National Council for Radio and Television are appointed by the Sejm, the Senate and the President of the Republic.

2. A member of the National Council of Radio Broadcasting and Television shall not belong to the party political, trade union or perform public activities giving is incompatible with the dignity of his function.

Art. 215. The principles and procedures of the National Council of Radio Broadcasting and Television, its organization and detailed principles for appointing its members shall be defined by law.

Chapter X

PUBLIC FINANCES

Art. 216. 1. Financial resources for public purposes shall be collected and disposed of in the manner specified in the Act.

2. The acquisition, disposal and encumbrance of property, stocks or shares, issue of securities by the Treasury, the National Bank of Polish or other state legal persons according to the rules and procedures set forth in Act.

3. monopoly shall be established by law.

4. The contracting of loans as well as granting guarantees and financial sureties by State according to the rules and procedures set forth in the Act.

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5. Do not take out loans or provide guarantees and sureties resulting in the public debt exceeding 3/5 the annual gross domestic product. The method of calculating the value of the annual gross domestic product and public debt determined by law.

Art. 217. The imposition of taxes and other public charges, determination those subject to taxation and tax rates, as well as rules

granting tax reliefs and remissions, along with categories of taxpayers exempt from taxation by means of statute.

Art. 218. The organization of the Treasury and the manner of asset management Treasury specified by statute.

Art. 219. 1. The Sejm shall adopt the State budget for the financial year in the form of a law Budget.

2. The rules and procedures for drafting the state budget, its degree of detail and the requirements for a draft State Budget, as well as the rules and procedure for implementation of the budget established by law.

3. In exceptional cases, the revenues and expenditures of the State for the period less than a year may be specified in an interim budget. Provisions on the draft State Budget shall apply *mutatis mutandis* to the draft law on interim budget.

4. If a State Budget or an interim budget have not come into force on the first day of the financial year, the Council of Ministers leads financial management pursuant to the draft law.

Art. 220. 1. The increase in spending or reduction in revenues from planned by the Council of Ministers may not lead to the adoption by the Sejm of budget deficit than provided in the draft budget.

2. The Budget shall not provide for covering the deficit budget by incurring liabilities in the central bank of the state.

Art. 221. Legislative initiative in terms of the Budget Act, the Act on interim budget, changes in the budget law, the law on incurring debt the public and the law on granting financial guarantees by the State shall belong exclusively to the Council of Ministers.

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Art. 222. The Council of Ministers submits to the Sejm no later than 3 months before the beginning of the financial year draft budget bill for the next year. In exceptional cases may be submitted later project.

Art. 223. The Senate may adopt amendments to the budget bill within 20 days from the date of referral to the Senate.

Art. 224. 1. The President of the Republic shall sign a bill within 7 days Budget or interim Budget submitted to him by the Marshal Sejm. Budget Act and the Act on the interim budget does not apply

provision of Art. 122 paragraph. 5.

2. If the President of the Republic to the Court Constitutional regarding compliance with the Constitution of the Budget or an interim budget before signing it, the Court shall decide on the matter not later than within 2 months from the date of submission of the application to the Tribunal.

Art. 225. If within four months from the date of submission of the Sejm project Budget Act it will not be submitted to the President of the Republic for signature, the President of the Republic may, within 14 days, order the shortening Sejm.

Art. 226. 1. The Council of Ministers within 5 months of the end of the year submit the budget to the Sejm a report on the implementation of the Budget together with information on the state of the country's debt.

2. The Sejm shall examine the submitted report and after hearing the opinion of Supreme Chamber of Control shall, within 90 days from the date of submission of the Sejm report, a resolution on granting or refusing to grant the Council of Ministers discharge.

Art. 227. 1. The central bank of the State is the Polish National Bank. Shall have the exclusive right to issue money and to formulate and implement monetary policy. Polish National Bank is responsible for the value of Polish money.

2. The organs of the Polish National Bank are: President of the National Bank Polish Monetary Policy Council and the Management Board of the Polish National Bank.

3. The President of the Polish National Bank is appointed by the Sejm on request of the President of the Republic for six years.

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4. The President of the Polish National Bank can not belong to a political party, a trade union or perform public activities incompatible the dignity of his office.

5. The Monetary Policy Council includes the President of the National Polish Bank as chairman and persons of distinguished knowledge of Finance, appointed for six years, in equal numbers by the President of the Republic, The Sejm and the Senate.

6. The Council for Monetary Policy shall annually formulate the aims of monetary policy and submit them to the Sejm at the same time as the submission of Council of Ministers' draft Budget. The Monetary Policy Council, within 5 months after the end of the financial year, submit to the Diet a report on the

monetary policy implementation.

7. Structure and principles of the Polish National Bank and detailed rules for the appointment and dismissal of its organs established by law.

Section XI

EXTRAORDINARY MEASURES

Art. 228. 1. In situations of particular danger, if ordinary measures constitutional arrangements are inadequate, it can be put appropriate state extraordinary: martial law, a state of emergency or a state of natural disaster.

2. Extraordinary measures may be introduced only on the basis of statute, by regulation, which shall additionally require to be publicized message.

3. Principles of public authorities and the extent to which may They are restricted freedoms and human and civil rights during individual states of emergency, determined by law.

4. A statute may specify the principles, scope and manner of compensating for loss property arising from the limitation in time of extraordinary freedom and human and civil rights.

5. Actions taken as a result of the introduction of a state of emergency must correspond to the degree of threat and should seek as soon as possible restore the normal functioning of the state.

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6. During a state of emergency can not be changed: the Constitution, Elections to the Sejm, the Senate and organs of local self-government, the Law on Election of the President of the Republic and the law on states of emergency.

7. During a state of emergency and within 90 days after its completion not can be shortened term of office of the Sejm, a nationwide referendum, not They may be elections to the Sejm, Senate, organs of self-government government and election of the President of the Republic, and the terms of office of these bodies They shall be appropriately prolonged. Elections to organs of local self-government They are possible only where there was introduced a state of emergency.

Art. 229. In the case of external threats to the State, armed attack on Polish territory or when an international agreement is clear commitment to a common defense against aggression, President of the Republic on request from the Council of Ministers may introduce martial law on parts or all over

territory.

Art. 230 1. In the event of threats to the constitutional order of the State, citizens' security or public order, the President of the Republic on the request of the Council of Ministers may introduce, for a definite period no longer than 90 day state of emergency in parts or in the entire country.

2. Extension of a state of emergency may take place only once with the consent of the Sejm and a period no longer than 60 days.

Art. 231. The regulation on the introduction of martial law or emergency President of the Republic presents to the Parliament within 48 hours of signing Regulation. The Sejm shall immediately consider the regulation of the President Republic. The Sejm may annul the absolute majority of votes in the presence of at least half of the statutory number of Deputies.

Art. 232. In order to prevent the effects of natural disasters or failures technical exhibiting characteristics of a natural disaster and to remove them Council Ministers may introduce period no longer than 30 days, the state of calamity disaster a part of or the entire country. The extension of the state can be made with the consent of the Sejm.

Art. 233. 1. The statute specifying the scope of limitation of freedom and human rights and citizens in times of martial law and states of emergency can not limit the freedoms and

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rights referred to in Art. 30 (human dignity), Art. 34 and Art. 36 (nationality), art. 38 (protection of life), art. 39, Art. 40 and Art. 41 paragraph. 4 (humane treatment), Art. 42 (Ascription of criminal responsibility), Art. 45 (access to court), Art. 47 (good personal), Art. 53 (conscience and religion), Art. 63 (petitions) and Art. 48 and Art. 72 (family and Child).

2. Limitation of the freedoms and rights of man and citizen solely because of race, sex, language, religion or lack of it, of origin social, birth and wealth.

3. The statute specifying the scope of limitation of rights and freedoms of man and citizen in natural disasters may limit the freedoms and rights specified in Art. 22 (Freedom of economic activity), Art. 41 paragraph. 1, 3 and 5 (personal freedom), Art. 50 (Inviolability of the home), art. 52 paragraph. 1 (freedom of movement and residence Polish territory), Art. 59 paragraph. 3 (right to strike), Art. 64 (Ownership), Art. 65 paragraph. 1 (freedom to work), Art. 66 paragraph. 1 (right to safe and healthy working conditions) and Art. 66 paragraph. 2 (right to

rest).

Art. 234. 1. If during martial law, the Sejm is unable to assemble for a sitting, the President of the Republic at the request of the Council of Ministers issued Decree Law to the extent and limits laid down in Art. 228 paragraph.

3-5. Such regulations must be approved by the Sejm at its next meeting.

2. The regulations, referred to in paragraph. 1, have the character of widely applicable law.

Chapter XII

AMENDING THE CONSTITUTION

Art. 235 1. The bill to amend the Constitution may be submitted at least 1/5 of the statutory number of deputies, the Senate or the President of the Republic.

2. Amendments to the Constitution by way of a law passed in the same amended by the Parliament and then within a period not longer than 60 days by the Senate.

3. The first reading of a bill to amend the Constitution may take place no earlier than the thirtieth day after the date of submission of bill to the Sejm.

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4. Act to amend the Constitution resolves the Sejm majority of at least 2/3 votes in the presence of at least half of the statutory number of deputies and the Senate absolute majority of votes in the presence of at least half the statutory number senators.

5. The adoption by the Sejm bill amending the provisions of Chapters I, II, or XII of the Constitution shall take place no earlier than the sixtieth day after the first reading of the bill.

6. If a bill to amend the Constitution relates to the provisions of Chapter I, II or XII, the subjects specified in paragraph. 1 above may require, within 45 days from the day adoption of the bill by the Senate, to hold a referendum approval. From the application in this case these entities are turning to Marshal of the Sejm shall immediately hold a referendum within 60 days of submission application. Amending the Constitution is accepted if this change favored the majority of voters.

7. After completion of the procedure referred to in paragraph. 4 and 6 of the Marshal of the Sejm submit to the President of the Republic adopted bill for signature.

President of the Republic shall sign a bill within 21 days of its submission

Chapter XIII

TRANSITIONAL AND FINAL PROVISIONS

Art. 236. 1. In a period of 2 years from the date of entry into force of the Constitution Council Ministers present to the Sejm such bills necessary for the application

The Constitution.

2. The laws implementing Articles. 176 paragraph. 1 in relation to proceedings before administrative courts will be adopted before the end of 5 years from the date of entry into force of the Constitution. Until the entry into force of these laws , the provisions relating to extraordinary review of judgments by the Supreme Court Administrative.

Art. 237. 1. In a period of 4 years from the date of entry into force of the Constitution in matters of adjudicate misdemeanors misdemeanor attached to district courts, with

but the punishment of detention by a court.

2. An appeal from a judgment of a court.

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Art. 238. 1. The term of office of the constitutional public authorities and individuals belonging to them are elected or appointed prior to the entry into force Constitution ends with the expiry of the period specified in the regulations in force before the entry into force of the Constitution.

2. Where the provisions in force prior to the date of entry into force The Constitution does not specify any such term of office, and from the election or appointment has elapsed longer than that specified by the Constitution, constitutional term of office authorities public or individuals composing them shall expire one year after the date of entry into force of the Constitution.

3. Where the provisions in force prior to the date of entry into force The Constitution does not specify any such term of office, and from the election or appointment has elapsed shorter than specified in the Constitution for the constitutional authorities public or individuals composing them, the time in which these authorities or persons the functions according to the existing regulations, are included in the term set in the Constitution.

Art. 239. 1. In a period of 2 years from the date of entry into force of the Constitution ruling Constitutional Court of the unconstitutionality of laws passed before the date of its entry into force are not final and are subject to examination by the House, which can reject the ruling of the Constitutional Court by a 2/3 majority,

in the presence or at least half of the statutory number of Deputies. Does not apply to judgments issued in response to questions of law to the Constitutional Court.

2. Proceedings in cases concerning the finding of the Constitutional Court universally binding interpretation of statutes instituted before the coming into force of the Constitution, shall be discontinued.

3. From the date of entry into force of the Constitution of the resolution of the Constitutional Tribunal on interpretation of statutes shall lose their universally binding. In the power of the Tribunal they remain the final judgments of courts and other final decisions of authorities of public, whilst taking into account the meaning of provisions established by the Constitution. The Constitutional Tribunal by way of universally binding interpretation of statutes.

Art. 240. Within one year from the date of entry into force of the Constitution Act the Budget may allow for the covering budget deficit by contracting debt in the central bank of the State.

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Art. 241. 1. International agreements ratified so far by the Polish Republic under applicable at the time of ratification constitutional provisions and published in the Official Gazette is considered to be a contract ratified with prior consent granted by statute and apply to them the rules of Art. 91 of the Constitution, if the text of an international agreement that they concern categories of cases referred to in Art. 89 paragraph. 1 of the Constitution.

2. The Council of Ministers within two years from the entry into force of the Constitution, present to the Sejm a list of international agreements containing provisions not in conformity with the Constitution.

3. Senators, elected before the entry into force of the Constitution who did not reach 30 years, they retain their seats until the end of the term for which they were elected.

4. The combination of the mandate of deputy or senator of function or employment, which the prohibition laid down in Article. 103, results in termination of the mandate after one month from the date of entry into force of the Constitution, unless the deputy or senator earlier surrenders function or termination of employment.

5. Cases subject to legislative procedure or before the Constitutional Tribunal or the Tribunal of State, and initiated before the entry into force of the Constitution shall be conducted in accordance with the constitutional provisions in force on the date of commencement of the case.

6. During the period of 2 years from the date of entry into force of the Constitution, the Council of Ministers determines

that the resolutions of the Council of Ministers and orders of ministers or other organs of government administration adopted or issued prior to the date of entry into force

Constitution require - under the conditions specified in Art. 87. 1 and Art.

92 of the Constitution - be replaced by regulations issued on the basis of authorization bill, whose draft in due time, the Council of Ministers

present to the Sejm. During the same period, the Council of Ministers to the Sejm a bill specifying those normative acts of the government administration bodies, issued before the date of entry into force of this Constitution, shall become resolutions or orders within the meaning of Art. 93 of the Constitution.

7. The current on the date of entry into force of the Constitution acts of local law and the provisions of communes shall become enactments of local law within the meaning of Art. 87. 2

The Constitution.

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Art. 242. repealed:

- 1) Constitutional Act of 17 October 1992. On mutual relations between the executive and legislative powers and the Polish Republic local government (Dz. U. No. 84, item. 426, 1995. No. 38, pos. 184 and No. 150, item. 729 and 1996. No. 106, item. 488)
- 2) the Constitutional Act of 23 April 1992. Procedure for Preparing and adoption of the Constitution of the Republic of Polish (Dz. U. No. 67, item. 336 and 1994. No. 61, pos. 251).

Art. 243. The Constitution of the Republic of Polish enter into force after 3 months of its notification.

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