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Lesson Five

The Polish System of Government

The text of today's lesson is divided into eight parts, each including different kind of activity . I hope you will have fun doing them.

A The Polish Legal System

Read the text below and complete the gaps with words formed out of the jumbled letters

The Republic of Poland is (1) **SBEAD** on the Montesquieu's (2) **STRNOAIEPA**of **powers** principle. The legislative power is (3) **TDSEVE**..... in the Parliament (4) **OOEMPCDS**..... of the lower house "Sejm" and the (5) **RPEUP**..... house "Senate". The executive power is vested in the President of Poland and the (6) **LOCUNIC**..... of Ministers and the (7) **AIUCJILD**..... power is vested in courts and tribunals.

Following the (8) **TAITRENVDAISM**..... reform of 1998, the country is divided into 16 provinces. The provinces are (9) **DEIDVID**..... into secondary administrative units – ‘counties’ (currently 350), and then further to the basic administrative units – ‘districts’ (currently 2488). The Republic of Poland is a (10) **EREMMB**..... state of the European Union.

B Sources of Polish Law

Read the text below and complete the gaps with phrases formed out of the jumbled elements

The sources of the Polish law are divided into two categories: (1) **AND LAW BINDING UNIVERSALLY LAW INTERNAL**.....

According to the latest Constitution of 2 April 1997, the sources of universally binding Polish law are: the Constitution as the (2) **LAND OF SUPREME THE LAW**....., the statutes, (3) **INTERNATIONAL RATIFIED AGREEMENTS**..... and regulations. In order to come into force, the statutes, **regulations** (rozporządzenie) and enactments of local law have to be published in (4) **REPUBLIC THE OF THE POLAND JOURNAL OF LAWS OF**..... (Dziennik Ustaw)

All other acts constitute a part of internal law. They **bind** (obowiązywać)only the organs of public administration and **self-government** (samorząd) which **are subordinated to** (są podporządkowane) the issuing organs and organizational units.

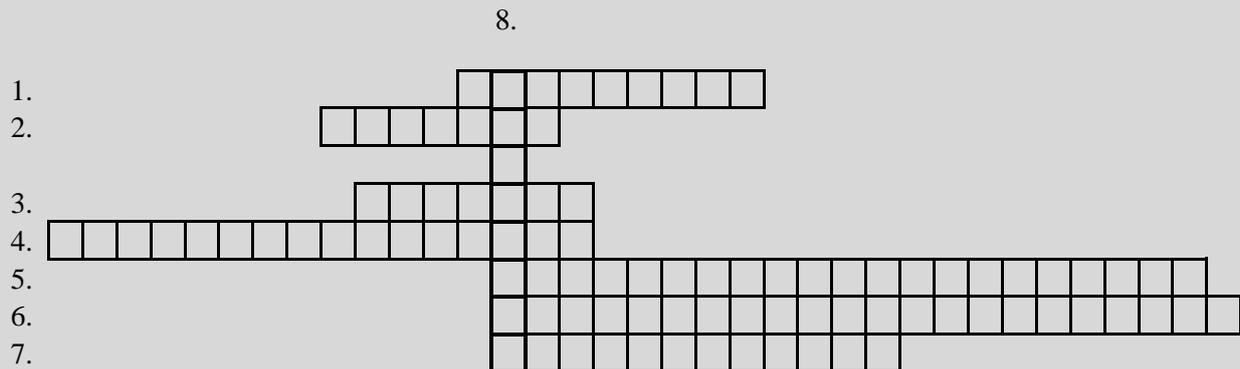
The examples of such acts are: **resolutions** (uchwała) adopted by the Sejm, Senate and the Council of Ministers, **orders** (zarządzenie) issued by the President of the Republic of Poland, the President of the Council of Ministers and ministers, the acts of local law that are not universally binding and non-ratified international agreements. These acts are published in (5) **REPUBLIC POLAND JOURNAL THE**

OF OFFICIAL OF..... (Monitor Polski) and in the local official journals.

The latest Constitution is the above mentioned Constitution of 2 April 1997, upheld by the **National Assembly** (Zgromadzenie Narodowe) i.e. the Sejm and the Senate acting together.

A **statute** (ustawa) is a basic act of the universally binding law in Poland. The statutes are adopted by the Sejm. The right of **legislative initiative** (inicjatywa ustawodawcza) can be started by a group of at least 100,000 citizens, and also by at least 15 Members of the Senate, the President or the Council of Ministers.

Complete the crossword



- 1. the head of state in Poland
- 2. any of 38,000,000 people living in Poland
- 3. written law passed by a legislature on the state or federal level
- 4. the Sejm and the Senate acting together
- 5. the constitutionally defined power to propose law proposals (bills)
- 6. pact between two or more independent states
- 7. supreme law of the land
- 8. a state or country that is not led by a hereditary monarch, where the people of that state or country (or at least a part of that people) have impact on its government

C Treaties

Fill in the gaps with the correct forms of the following words:

President / international / statute / agreement / legal / competence

Ratified (1)..... agreements possess the **force** (moc) of the (2)..... Once an (3)..... is published, it becomes a part of the domestic (4)..... system and may be applied directly. Ratification is within the (5)..... of the (6)..... of the Republic of Poland.

D Regulations

Fill in the gaps in the texts below with the correct forms of the verbs in brackets

Regulations (1)..... (issue) only by those organs that are expressly (2)..... (state) in the Constitution. Moreover, regulations have to be (3)..... (issue) on the basis of specific authorization (4)..... (contain) in the statute and in the purpose to implement the statute.

The competent organs to (5)..... (issue) the regulations are the President of Republic of Poland, the Council of Ministers, **the National Broadcasting Council** (Krajowa Rada Radiofonii i TV), the Chairman of the Committee who is a member of the Council of Ministers, and the minister that (6)..... (manage) the relevant area of public administration.

Local law

The acts of local law (7)..... (bind) within territory where the (8)..... (issue) organ (9)..... (exercise) its powers. These acts may only be (10)..... (issue) on the basis provided in the statute and within the limits prescribed in the statute.

E The Court system

Read the text and complete the structure below with the names of courts operating in Poland

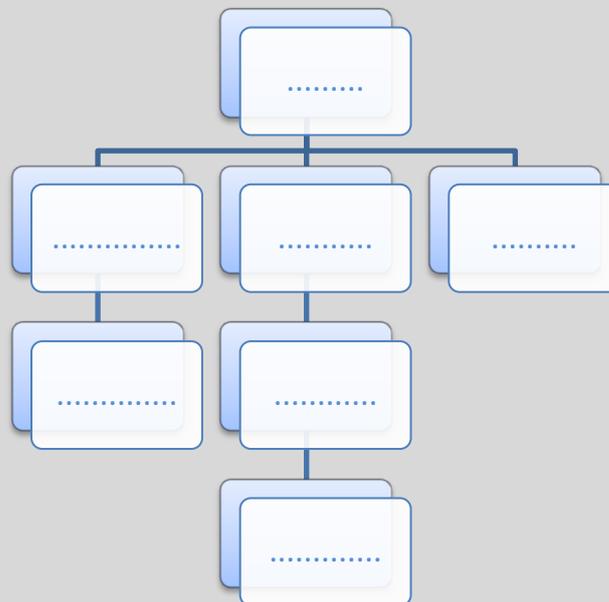
The Polish legal system is based on the continental legal system (civil law tradition). The common courts in Poland are the courts of appeal, **provincial** courts (okręgowe) and **district** courts (rejonowe). They are competent **to hear criminal law cases**, civil law cases, family and **custody** (opieka nad dzieckiem) law cases, labour law cases and social insurance cases.

The military courts are the military provincial courts and military unit courts. They have judiciary control within the Polish Army in criminal cases and other cases that were subscribed to them by relevant statutes.

The administrative judiciary belongs to the High Administrative Court. This court has judicial control of public administration and operates through 10 delegated centres of the same Court.

Supreme Court

The Supreme Court is the highest central judicial organ in the Republic of Poland and thus the highest court of appeal. The main tasks of the Supreme Court are to administer justice in Poland, together with the common, administrative and military courts, to consider cessation as a form of extraordinary appeal and to adopt law interpreting resolutions.



Constitutional Tribunal

The Constitutional Tribunal is an organ of judiciary: **competent** to decide the **conformity** of the issued law with the Constitution, **disputes** concerning competence between the organs of central administration, the conformity of the political parties' tasks with the Constitution and to **hear** constitutional **complaints** filed by citizens.

Which bolded words in the text is similar in meaning to:

- (1) objection / grievance / pleading / accusation / indictment
- (2) capable / able / knowledgeable / experienced / skilled / proficient / fit / expert
- (3) sit in judgment / try / examine / consider
- (4) agreement / compliance / consistency / accord / obedience / submission
- (5) discussion / conflict / disagreement

F Parliament

Complete the text with the following numbers: 1989 100 460 two

Polish Parliament is composed of chambers: the Sejm and the Senate which **exercise** (sprawować) the legislative power in the Republic of Poland. The Parliament was **unicameral** (składający się z jednej izby) until when after a nationwide referendum, the law was changed and the upper chamber i.e., the Senate, was again re-established (the Parliament was also **bicameral** (dwu-izbowy) before the Second World War).

The Parliament exercises control over the activities of the Council of Ministers within the scope specified by the **provisions** (postanowienia) of the Constitution and statutes. There are Members of the Sejm.

The Senate shares its legislative function with the Sejm; simultaneously, it is part of the governmental system in Poland. There are Members of the Senate.

G President

Number the following lines in the correct order:

- () the competencies with the Council of Ministers.
The President of the Republic
- () The President of the Republic of Poland is
- () the supreme representative of the Poland (head of state) and is the part of the executive authority, sharing
- () by secret ballot.
- () is elected by the Nation, in universal, equal and direct elections, conducted

H Government

Which word in the text is opposite in meaning to:

exclude same dismissed monarchy local

The Polish government is called the Council of Ministers and it is chaired by the President of the Council of Ministers. The Council of Ministers is appointed by the President of the Republic of Poland. It consists of ministers who govern given areas of central administration as well as other chairmen of various Committees that were included in the Council of Ministers.

Answers

A

1. based; 2. separation; 3. Vested; 4. Composed; 5. Upper; 6. Council; 7. judicial; 8. Administrative; 9. Divided; 10. Member

C

1. international; 2. statute; 3. agreement; 4. legal; 5. competence; 6. President

D

1. are issued; 2. stated; 3. issued; 4. contained; 5. issue; 6. manages; 7. are binding; 8. issuing; 9. exercises; 10. Issued

F

two; 1989; 460; 100

B

1. universally binding and internal law
2. supreme law of the land
3. ratified international agreement
4. the Journal of Laws of the Republic of Poland
5. the Official Journal of the Republic of Poland

E

1. Complaints; 2. Competent; 3. Hear; 4. Conformity; 5. Disputes

G

2; 3; 1; 5; 4

H

include, various, appointed, republic, central

Crossword

1. President; 2. Citizen; 3. Statute; 4. National Assembly; 5. Legislative initiative; 6. International agreement; 7. Constitution; 8. republic

E Court Structure

