

Chancellery of the Sejm  
**Compiled on**  
**Journal of Laws 2019**  
**items 512, 1571,**  
**1815.**

**ACT**  
**of 5 June 1998 on the provincial government**

**Chapter 1**

**General rules**

Art. 1. 1. The inhabitants of the voivodship create a regional government by virtue of the law of the community.

2. Whenever the Act mentions a voivodeship or a local government voivodship, it should be understood as regional local governing community and its appropriate territory.

Art. 2. 1. The voivodship local government bodies act on the basis of and within the limits specified by statutes.

2. The scope of activities of the voivodeship local government includes performing tasks both provincial and public, not reserved by statute for government administration bodies.

Art. 3. The local government administration in the voivodeship is united in one office and under one superior.

Art. 4. 1. The scope of activities of the voivodeship local government does not affect independence of the poviats and the communes.

2. The voivodeship local government bodies do not act towards the poviats and the commune supervisory or control bodies, and are not higher-ranking bodies in administrative proceedings.

Art. 5. 1. The inhabitants of the voivodeship make decisions by common vote (through elections and referendum) or through voivodship local government bodies.

2. (deleted)

3. (deleted)

4. (deleted)

5. The rules and procedure for holding a referendum are specified in a separate act.

Art. 6. 1. The voivodeship self-government:

1) performs public tasks specified by statute on its own behalf and on behalf of its own responsibility;

2) has its provincial property;

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3) runs independently the financial management based on the budget.

2. The voivodeship has legal personality.

3. The independence of the voivodeship is subject to judicial protection.

Art. 7. 1. System of the voivodship as a unit of local government specifies the voivodship statute adopted after consultation with the President of the Council of Ministers.

2. The statute and its amendments are announced in the provincial official journal.

Art. 8. 1. In order to perform tasks, a voivodeship creates a voivodeship local government organizational units and it may conclude contracts with others entities.

2. The voivodeship may conclude them together with other voivodships and units of local self-government from the voivodeship area on the agreement on entrusting the performance of public tasks.

3. The provisions of the Act of March 8 shall apply accordingly to the agreements 1990 on municipal self-government (Journal of Laws of 2018, items 994, 1000, 1349, 1432 and 2500).

4. The agreements referred to in paragraph 2 shall be announced in the provincial official journal.

Art. 8a. Voivodeships may each other or other units local government to provide assistance, including financial assistance.

Art. 8b. 1. Voivodeships can create associations, including ones with communes and counties.

2. The associations referred to in paragraph 1 shall apply accordingly to provisions of the Act of April 7, 1989 - Law on Associations (Journal of Laws of 2017, item 210 and of 2018, item 723), except for the establishment of an association where a minimum of 3 founders is required.

Art. 8c. The voivodeship can provide joint service, in particular administrative, financial and organizational for:

1) voivodeship self-government organizational units included in the public finance sector,

2) voivodeship cultural institutions,

3) other voivodship persons included in the public finance or legal sector, created on the basis of separate acts for the purpose of execution of public tasks, with the exception of enterprises, research institutes, banks and commercial companies - hereinafter referred to as "serviced units".

Art. 8d. 1. Joint service may be carried out by the Marshal's Office or another voivodeship self-government organizational unit, hereinafter referred to as "unit operators".

2. The voivodeship parliament in relation to the units served, referred to in Art. 8 c, point 1, specifies, by resolution, in particular, of the following:

1) serving units;

2) units operating;

3) the scope of responsibilities entrusted to the operating units under joint operation.

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3. Units operating, referred to in Art. 8C, points 2 and 3, may, on the basis of agreements concluded by these units with the servicing unit, start joint operation, after prior notification of this intention to the management board voivodships. The scope of joint service is defined in the agreement.

4. The serving unit has the right to request from the served unit information and access to documentation to the extent necessary to perform tasks as part of the joint operation of this unit.

5. The serviced unit has the right to request from the servicing unit information and access to documentation in the scope of tasks performed by handling unit for joint operation.

Art. 8e. 1. The scope of joint handling shall not include competent heads of units included in the public finance sector to disposing of public funds and incurring liabilities, and preparation and approval of a financial plan and transfer of expenses, including a plan.

2. In the case of entrusting accounting duties and reporting of the serviced units referred to in Art. 8c points 1 and 2, they are communicated in full.

Art. 8f. The handling unit is authorized to process the personal data processed by the unit operating in the scope and purpose necessary to perform tasks within the joint operation of this unit.

Art. 9. The provincial government, on the basis of statutory authorizations, constitutes acts of local law in force in the voivodeship.

Art. 10. A separate act specifies the seats of voivodeship self-governing authorities.

Art. 10a. 1. In cases provided for by law and in other matters valid for the voivodeship consultations with the inhabitants of the voivodeship may be carried out on its territory.

2. Principles and procedure for conducting consultations with the inhabitants of the voivodeship shall be determined by a resolution of the voivodeship council, subject to paragraph 6.

3. A special form of social consultations is the civic budget.

4. As part of the civic budget, directly residents annually decide on a part of the voivodeship budget expenditure. Works selected as part of the civic budget are included in the resolution of voivodship budget. The voivodship sejmik is working on the project budget resolution may not remove or change to a significant extent tasks selected as part of the civic budget.

5. Funds disbursed as part of the civic budget may be divided into pools covering the entire voivodeship and its parts in the form of poviats or groups of counties.

6. The voivodeship sejmik specifies by resolution the requirements which should meet the draft of the citizens' budget, in particular:

1) formal requirements to be met by the submitted projects;

2) the required number of signatures supporting the project, but it cannot be greater than 0.1% of the population of the area covered by the budget of civil society in which the project is submitted;

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3) rules for evaluating the submitted projects if in compliance with the law, their technical feasibility, compliance with formal requirements and the procedure for appealing against a decision not to allow a bill to be voted on;

4) rules of voting, determining the results and presenting them to public, given that the rules for carrying out voting must ensure equality and direct voting.

## **Chapter 2**

### **Range of activities**

Art. 11. 1. The voivodeship self-government defines the voivodship development strategy, taking into account in particular the following objectives:

1) cultivating Polishness as well as developing and shaping national, civic and cultural awareness of residents, as well as nurture and developing local identity;

2) stimulating economic activity;

3) increasing the level of competitiveness and innovation of the economy of voivodeships;

4) preserving the values of the cultural and natural environment at taking into account the needs of future generations;

5) shaping and maintaining spatial order.

1a. (deleted)

1b. In the voivodship development strategy, there is a period that does not go beyond the period covered by the currently binding medium-term development strategy of the country.

1c. The voivodeship development strategy includes:

1) diagnosis of the socio-economic situation of the voivodeship;

2) definition of strategic objectives of the voivodeship development policy;

3) specification of the directions of activities undertaken by the voivodeship self-government to achieve strategic goals of the voivodeship development policy.

4) (deleted)

5) (deleted)

1d. The voivodeship development strategy takes into account medium-term goals country development strategy, national regional development strategy, relevant supra-regional strategies, as well as the goals and directions of the spatial concept country development.

1da. The strategic areas are taken into account in the voivodeship development strategy of state interventions, referred to in Art. 12a paragraph. 1 point 8 of the Act of December 6, 2006 on the principles of development policy (Journal of Laws of 2018, item 1307 and 1669).

1e. The voivodship development strategy can be updated in each time, if required by the socio-economic or spatial situation voivodships. The updating shall apply mutatis mutandis to

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paragraphs 1–1da, art. 12 and art. 12a and art. 6, art. 6a, art. 10a and art. 13 of the Act of December 6, 2006 on the principles conducting development policy.

2. The voivodeship local government conducts the voivodeship development policy, which consists of the following:

- 1) creating conditions for economic development, including creating the labor market;
- 2) maintenance and development of social and technical infrastructure of importance for the province;
- 3) acquiring and combining financial resources: public and private ones, in order to carry out public utility tasks;
- 4) supporting and conducting activities aimed at raising the level citizens' education;
- 5) rational use of natural resources and shaping the environment natural, in accordance with the principle of sustainable development;
- 6) supporting the development of science and cooperation between the sphere of science and economy, promoting technological progress and innovation;
- 7) supporting the development of culture and taking care of cultural heritage and its rational use;
- 8) promotion of the values and development opportunities of the voivodeship;
- 9) supporting and conducting activities for social integration and counteracting social exclusion.

3. The voivodeship development strategy is implemented through development programs, regional operational program, program to implement the partnership agreement and the territorial contract referred to in the *Act of 6 December 2006 on the principles of development policy*.

4. The voivodeship local government, on its own initiative or at the request of the local government of a commune or district local government, may apply for funding implementation of development programs, the regional operational program and a program to implement the partnership agreement in the field of cohesion policy, prepared by the voivodeship board, state budget funds and funds from the budget of the European Union and other funds from foreign sources, in the manner specified in separate regulations.

4a. The voivodeship local government may support activities in the scope referred to in paragraph 2, in the form of a grant or returnable support referred to in Art. 5 point 12 of the *Act of December 6, 2006 on the principles of development policy*.

5. Performing tasks related to regional development in the area of the voivodeship belongs to the voivodeship self-government. Development of financing rules and the sources of the voivodeship's income in this respect determine separate acts.

Art. 12. 1. The voivodeship self-government in formulating the development strategy voivodeship and the implementation of its development policy, cooperates in particular with:

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- 1) local government units from the area of the voivodeship and with economic and professional self-government;
- 2) government administration, especially with the voivode;
- 3) other provinces;
- 4) non-governmental organizations and entities mentioned in art. 3, paragraph 3 of the *Act of 24 April 2003 on Public Benefit Activity and volunteering* (Journal of Laws of 2018, items 450, 650, 723 and 1365, and of 2019 item 37);
- 5) universities and research and development units.
- 6) (deleted)

2. When performing the tasks specified in paragraph 1, the provincial government may also cooperate with international organizations and other regions countries, especially neighboring countries.

Art. 12a. 1. The voivodship assembly determines the rules, procedure and schedule development of the voivodeship development strategy, taking into account in particular:

- 1) tasks of voivodeship local government bodies in defining the development strategy of voivodeships;
- 2) the mode and rules of cooperation with the entities mentioned in art. 12.

2. Resolution of the voivodeship parliament on the matters mentioned in paragraph 1 is published in the provincial official journal.

3. The project of the voivodship development strategy is subject to agreement with the director of regional water management board of the State Water Farm of Polish Waters with regard to building and land development located in areas of particular flood risk.

4. Agreeing the draft strategy with the director of the regional management board of The water management of the State Water Management is carried out by the Polish Waters under Art. 166 of the *Act of July 20, 2017 - Water Law* (Journal of Laws of 2018 r. item 2268 and of 2019, item 125).

Art. 13. 1. A voivodeship may create in the sphere of public utility limited liability companies, joint stock companies or cooperatives, as well as it may join such companies or cooperatives.

1a. In the sphere of public utilities, the voivodeship may, in order to implement activities in the scope referred to in art. 11 sec. 2, create a regional fund development in the form of a limited liability company or joint stock company.

2. The voivodeship may establish companies outside the public utility sphere with limited liability and joint-stock companies and join them, if the activities of the companies consist in performing promotional activities, educational, publishing and performing activities in the field of telecommunications for the development of the voivodeship.

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Art. 14. 1. The voivodeship self-government performs tasks of a nature voivodship defined by acts, in particular in the scope of:

- 1) public education, including higher education;
- 2) promotion and protection of health;
- 3) culture and protection of monuments and care for monuments;
- 4) social assistance;
- 4a) supporting the family and foster care system;
- 5) pro-family policy;
- 6) modernization of rural areas;
- 7) spatial development;
- 8) environmental protection;
- 9) (deleted)
- 10) collective transport and public roads;
- 11) physical culture and tourism;
- 12) protection of consumer rights;
- 13) defense;
- 14) public security;
- 15) counteracting unemployment and activating the local labor market;
- 15a) activities in the field of telecommunications;
- 16) protection of employee claims in the event of the employer's insolvency.

2. Acts may specify matters falling within the scope of the voivodeship's activity as government administration tasks performed by the management board voivodeships.

3. Acts may impose on a voivodeship an obligation to perform tasks in the field of organization of preparations and holding general elections and referenda.

### **Chapter 3**

#### **Voivodeship self-government authorities**

Art. 15. The authorities of the voivodeship local government are:

- 1) the voivodship sejmik;
- 2) voivodship board.

Art. 15a. 1. The activity of voivodeship authorities is public. Restrictions openness may result only from statutes.

2. The openness of actions of voivodeship authorities covers in particular the law citizens to obtain information, enter the sessions of the voivodeship council and meetings of its committees, as well as access to documents resulting from performing public tasks, including minutes of meetings of bodies of voivodeship and voivodeship sejmik committee.

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3. The rules of access to documents and their use are specified in the statutes voivodeships.

Art. 16. 1. A voivodship parliament is a decision-making and control body voivodeships.

2. The term of office of the voivodeship sejmik is 5 years, counting from the day of elections.

3. The regional council consists of councilors elected in the elections direct in the number of thirty in voivodeships counting to 2,000,000 inhabitants and three councilors for each new one starting with 500,000 inhabitants.

4. The rules and procedure for conducting elections to the voivodeship council are specified a separate act.

Art. 17. Regarding the dismissal of the voivodeship council before its expiry term of office is resolved only by a voivodeship referendum.

Art. 18. The exclusive competence of the voivodeship council shall include:

1) enacting acts of local law, in particular:

a) the statute of the voivodeship,

b) the rules of managing voivodeship property,

c) rules and procedures for using provincial facilities and devices of public utility;

2) adopting the voivodeship development strategy;

3) adopting a spatial development plan;

4) adopting a resolution on the mode of work on the budgetary draft resolution;

5) adopting a resolution on the detail of the executive system voivodship budget, with the proviso that this detail cannot be less than specified in separate regulations;

6) adopting the voivodship budget;

7) determining the rules for granting objective and subjective subsidies from the voivodship budget;

8) (deleted)

9) considering reports on the implementation of the voivodship budget, reports financial statements of the voivodeship and multi-annual reports of voivodeship programs;

10) adopting a resolution on granting or not granting a vote of approval the voivodeship board for the implementation of the voivodeship budget;

10a) considering the report on the state of the voivodeship and adopting a resolution on granting or not granting a vote to the voivodeship board confidence in this respect;

11) adopting, within the limits specified by laws, provisions concerning local taxes and fees;

12) adopting resolutions on entrusting local government tasks voivodship to other local government units;

13) adopting "Priorities of foreign cooperation of the voivodeship";

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14) adopting resolutions on participation in international regional associations and other forms of regional cooperation;

15) selection and dismissal of the voivodship board and determination of remuneration of the voivodship marshal;

16) considering reports on the activities of the voivodship board, including in particular from the financial activities and implementation of the programs referred to in point 2;

17) appointing and dismissing, at the request of the voivodship marshal, the treasurer the voivodship, which is the chief accountant of the voivodship budget;

18) adopting resolutions on the creation of associations and foundations and their solving, as well as joining or withdrawing from them;

19) adopting resolutions on voivodship property matters relating to:

a) the rules of acquiring, selling and encumbering real estate and their lease or rent for a specified period longer than 3 years or for an indefinite period, unless specific acts provide otherwise; a resolution of the voivodship council is also required in the event that after a contract concluded for a definite period of up to 3 years, the party conclude subsequent contracts the subject of which is the same property; until the rules are established, the management board may make these actions only with the consent of the voivodship council,

b) issuing bonds and determining the rules for their disposal and purchase and redemption,

c) incurring long-term liabilities included in the title debt referred to in art. 72 sec. 1 point 2 of the Act of August 27 2009 on public finance (Journal of Laws of 2017, item 2077, as amended<sup>1</sup>)

1b. In the event that the voting is conducted in the manner specified in paragraph 1a, it is not possible to vote for technical reasons registered.

1c. Name lists of councilors' voting shall be made public immediately news in the *Public Information Bulletin* and on the website of the voivodship and otherwise customarily adopted in the voivodship.

2. (deleted)

3. The rejection in voting of a resolution on granting a vote of approval is tantamount to adopting a resolution not to grant discharge.

Art. 20. 1. The voivodship parliament shall elect from among its members the chairman and no more than 3 vice-chairmen, absolute by a majority of votes in the presence of at least half of the statutory composition of the sejmik, by secret ballot.

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<sup>1</sup> Amendments to the uniform text of the said Act were announced in Journal Journal of 2018, item 62, 1000, 1366, 1669, 1693, 2245, 2354 and 2500 and of 2019, item 303.

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2. The chairman and vice-chairman of the voivodship sejmik cannot be part of the voivodeship board.
  3. The task of the chairman of the voivodeship council is exclusively organizing the work of the sejmik and conducting the sejmik debates. Chairman may appoint a vice-chairman to perform his tasks. In the absence of the chairman and not appointed Vice-chairman, performs the tasks of the chairman the oldest vice-chairman in age.
  4. Dismissing the chairman and vice-chairman of the regional council voivodship occurs at the request of at least 1/4 of the statutory composition of the sejmik voivodship, in the manner specified in paragraph 1.
  5. In the event of the resignation of the chairman or vice-chairman, the voivodship sejmik adopts a resolution on the acceptance of this resignation, no later than 1 month from the date of resignation.
  6. Failure to adopt the resolution referred to in paragraph 5, within 1 month from the date the resignation by the chairman or vice-chairman is tantamount to accepting the resignation by the voivodship sejmik upon expiry the last day of the month in which the resolution should be adopted.
  7. In the event of cancellation or acceptance of the chairman's resignation and vice-chairmen and not to elect persons to serve in their place functions within 30 days from the date of acceptance of the resignation or from the date of cancellation, a session of the voivodship sejmik to elect the chairman is convened by the voivode. The session is convened on a day within 7 days after the deadline, referred to in the first sentence.
  8. A session of the voivodship sejmik referred to in paragraph 7 until you choose the chairman is led by the oldest councilor present at the session, who he agreed to conduct the session.
- Art. 21. 1. A voivodship sejmik debates at sessions convened by chairman of the regional council as needed, but not less frequently than once a quarter. The notice of convening the session is accompanied by the agenda along with draft resolutions.
- 1a. The deliberations of the voivodship sejmik are broadcast and recorded via video and sound recording devices. Recordings of the proceedings are made available in the *Public Information Bulletin* and on the website of the local government voivodships and in a customary manner.
  2. The voivodship parliament may introduce changes to the agenda by an absolute majority of votes of the statutory composition of the sejmik.
  3. The first session of the newly elected voivodship sejmik is called by the commissioner election competent for the performance of activities of a nature voivodeship-wide province on the day falling within 7 days after the end of the term of office regional council.
  4. (deleted)

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5. In the event of early elections, the first session is convened by the person which the President of the Council of Ministers appointed to perform the functions of the organs of the unit local government, on the day falling within 7 days after the announcement results of elections to the voivodship parliament.

6. The first session of the newly elected voivodship assembly until election the chairman of the sejmik is led by the oldest councilor present at the session.

7. At the request of at least 1/4 of the statutory composition of the voivodship assembly the chairman of the regional council is obliged to convene a session for the following day within 7 days from the date of submission of the application. A request to convene a session should meet the requirements set out in paragraph 1.

8. To change the agenda of a session convened in the manner specified in paragraph 7, the provisions of para. 2, except that the consent is additionally required the applicant.

9. At the request of the voivodeship marshal, the chairman of the regional council voivodship is obliged to introduce to the agenda of the next session of the regional council a draft resolution, if the applicant is the voivodeship board, and the draft it was received by the sejmik at least 7 days before the start of the sejmik session.

10. At the request of the club of councilors, the chairman of the voivodeship council is obliged to put a draft on the agenda of the next sejmik session resolutions submitted by a club of councilors, if it reached the regional council at least 7 days before the start of the session of the sejmik. In the mode referred to in the sentence first, each club of councilors may submit no more than one draft resolution for each subsequent session of the regional council.

Art. 21a. Chairman of the voivodeship council in connection with the implementation of his duties, he may issue official orders to office employees Marshal performing organizational, legal and other tasks related to the functioning of the voivodeship council, committees and councilors. Including In the event, the chairman of the voivodeship council exercises his powers the official superior in relation to the employees referred to in the sentence first.

Art. 22. 1. Before taking up the mandate, the councilor takes the oath:

"I solemnly vow to perform my duties honestly and conscientiously The Polish Nation, to guard the sovereignty and interests of the Polish State, do everything for the well-being of the homeland and the self-governing community provinces and the welfare of citizens, observe the Constitution and other laws Polish Republic". The oath may be taken with the addition of the sentence "So help me God".

2. (deleted)

3. A councilor absent at the first session of the voivodship sejmik and a councilor, who obtained a mandate during the term of office, takes the oath at the first session in which he is present.

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Art. 23. 1. The councilor is obliged to be guided by the good of the community provincial government. The councilor maintains a permanent bond with the residents and their organizations, and in particular accepts reported by residents voivodship demands and presents them to voivodship authorities for consideration, however, it is not bound by the voters' instructions.

2. In connection with the performance of the mandate of a councilor, he enjoys legal protection intended for public officials. This provision also applies to people included in the board who are not councilors.

3. A councilor is obliged to participate in the work of self-government bodies voivodeship and voivodeship local government organizational units, to which he has been elected or designated.

3a. Immediately after the formation of the councilors' club and election of the board of the voivodeship, the club provides the chairman of the regional council with a statement on granting or refusing to support the voivodeship board. Information on the club's declaration referred to in the first sentence, and on the change of the declaration are made public.

3b. In carrying out the mandate of a councilor, a councilor has the right, if it does not violate this personal property of other people, to obtain information and materials, to enter the rooms where this information and materials are located, and access in the activities of the Marshal's Office, as well as companies with the participation of local government voivodship, commercial companies with the participation of voivodeship legal persons, provincial legal persons, provincial self-government units organizational units as well as local government establishments and enterprises, maintaining provisions on legally protected secrecy.

4. The mandate of a voivodeship councilor cannot be combined with:

- 1) a mandate of a deputy or senator;
- 2) performing the functions of a voivode or deputy voivode;
- 3) membership in the body of another local government unit.

5. Councilors may submit interpellations in matters relating to the voivodeship and inquiries to the voivodeship marshal.

6. The interpellation concerns matters of significant importance for the voivodeship.

The interpellation should contain a brief presentation of the actual state of affairs its subject and the questions arising from it.

7. Inquiries are submitted regarding current voivodeship problems, as well as to obtain information about a specific factual state. The provision of paragraph 6 the second sentence shall apply accordingly.

8. Interpellations and inquiries are submitted in writing to the chairman the regional council, which forwards them immediately to the voivodship marshal. Marshal, or a person designated

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by him, is obliged to provide a written answer no later than within 14 days from the date of receipt of the interpellation or inquiry.

9. The content of interpellations and queries as well as the answers given is given to to the public through immediate publication in the *Public Information Bulletin* and on the website of the provincial government and in other ways customary.

Art. 24. 1. A councilor may not enter into civil law relations in matters property with the voivodeship or voivodeship local government units organizational, with the exception of legal relationships arising from the use from publicly available services on general terms and the lease premises for private housing or business purposes business and lease, as well as other legal forms of use real estate, if the rent, lease or usufruct are based on conditions commonly established for a given type of legal action.

2. The councilor may not vote on the matters referred to in paragraph 1, if it concerns his/her legal interest.

3. The councilor is entitled to a diet and reimbursement of business travel costs.

4. (deleted)

5. The amount of the allowances due to the councilor may not exceed in sequence a month, a total of 1.5 times the base amount specified in the budget act for persons holding state managerial positions on the basis of regulations the Act of 23 December 1999 on the formation of salaries in the state the budgetary sphere and amending certain acts (Journal of Laws of 2018, item 2288).

6. In determining the amount of the diet of councilors, the regional council takes under the functions performed by the councilor.

**Added paragraph 6a in  
art. 24 will come in  
life of  
1 January 2020 (Journal  
of Laws of 2019, item  
1571).**

<6a. In a voivodeship that is a public interest entity within the meaning of Art. 2 point 9 of the Act of 11 May 2017 on experts auditors, audit firms and public supervision (Journal of Laws of 2019 item 1421 and 1571) is also considered to be the function of the councilor membership in the audit committee.>

7. The diet is not entitled to a councilor who performs the function of a paid member management board in the voivodship in which he obtained the mandate.

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8. The minister competent for public administration shall determine by way of the regulation, the method of determining the amount due for reimbursement of travel costs official councilors, taking into account the desirability of reimbursement actually incurred expenses related to the performance of the mandate and facilitating the execution settlements.

Art. 25. 1. An employment relationship cannot be established with the councilor at the office marshal in the province in which the councilor obtained a mandate. Recipe this does not apply to councilors elected to the voivodeship board with whom the relationship work is made on the basis of a selection.

2. The councilor cannot perform the function of the head of the voivodeship unit organizational structure and his deputies.

3. Establishing an employment relationship by a councilor, referred to in paragraphs 1 and 2 is tantamount to waiving the mandate.

4. The voivodship board or the voivodship marshal cannot entrust a voivodship councilor in which the councilor obtained a mandate to perform work on on the basis of a civil law contract.

Art. 26. 1. A councilor who was in a relationship before obtaining the mandate work in the marshal's office or was employed as a manager provincial self-government organizational unit in this province, in which he obtained a mandate, is obliged to submit an application for unpaid leave within 7 days from the announcement of the election results by the competent authority election, before taking the oath referred to in art. 22 sec. 1.

2. The councilor referred to in para. 1, receives unpaid leave for a period exercise the mandate and 3 months after its expiry.

3. A councilor receives unpaid leave regardless of the type and duration employment relationship. Fixed-term employment relationship that would have ended before the end date of the unpaid leave is extended to 3 months after the end of this leave.

4. In the case of a councilor employed as a manager provincial self-government organizational unit taken over or created by the voivodeship during the term of office, the period referred to in para. 1 is 6 months from the date of acquisition or establishment of this entity.

5. Failure to submit by a councilor the application referred to in para. 1 is tantamount to waiving the mandate.

6. After the mandate of a councilor has expired pursuant to para. 2, the Marshal's Office or a voivodeship self-government organizational unit restores a councilor to work in the same or equivalent job position, with remuneration corresponding to the remuneration that the councilor would receive if he did not use from unpaid leave. The councilor is obliged to report readiness to join work within 7 days from the date of expiry of the mandate.

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Art. 27. 1. The employer is obliged to release the councilor from work professional in order to enable the councilor to participate in the work of the regional council the voivodeship and its commissions and the voivodeship board.

2. Termination of an employment relationship with a councilor requires the prior consent of the regional council voivodship of which the councilor is a member. The voivodship sejmik will refuse consent for termination of employment with the councilor, if the basis for the solution is relationship are events related to the performance of the mandate by this councilor.

Art. 27a. 1. Councilors cannot take up additional activities or receive donations that could undermine voters' confidence in exercising their mandate in accordance with Article 22 section 1.

2. Councilors may not refer to their mandate in connection with the ones taken additional activities or self-employment account or jointly with others.

Art. 27b. 1. Councilors cannot run a business on their own account or jointly with other persons using the property of the voivodeship, in which the councilor obtained a mandate, as well as to manage or be such an activity representative or attorney in conducting such activities.

2. If the councilor, before commencing the exercise of the mandate, led the economic activity referred to in para. 1, is obliged to stop conducting this business activity within 3 months from the date of submission vows. Failure to fulfill the obligation referred to in the first sentence, is the basis for the declaration of the expiry of the mandate of a councilor under art. 383 of the *Act of 5 January 2011 - Electoral Code* (Journal of Laws of 2018, item 754, 1000 and 1349 and of 2019, item 273).

3. Councilors and their spouses and spouses of board members voivodship, voivodeship treasurers, voivodeship secretaries, managers provincial self-government organizational units and persons managing bodies and members of governing bodies of voivodeship persons legal entities cannot be members of the management or control authorities and auditors or attorneys of commercial companies with the participation of provincial legal persons or entrepreneurs in which such persons participate. Choice or the appointment of these persons to these functions is invalid by law.

4. If the selection or appointment referred to in paragraph 3, occurred before the commencement of the exercise of the mandate of a councilor or the day of election of a board member voivodship or before employment as a voivodship secretary, appointment to the position of the voivodeship treasurer, the voivodeship manager local government organizational unit as well as a managing person and a member of the body managing a voivodeship legal person, the persons referred to in paragraph 3, are obliged to resign from the position or function within 3 months from the date taking an oath by a councilor from the day of election, employment or appointment to the position.

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In the event of non-renunciation of the position or function, the person, referred to in section 3, loses them by operation of law after the expiry of the period referred to in the first sentence.

5. Councilors may not have a block of more than 10% of shares or stocks in commercial companies with the participation of provincial legal persons or entrepreneurs in which such persons participate. Shares or stocks exceeding this package should be disposed of by the councilor before the first session the voivodship sejmik, and if they are not met, they do not participate for a period exercise a mandate and 2 years after its expiry in performance their rights (voting rights, dividend rights, rights to division of property, subscription rights).

Art. 27c. 1. Councilor, member of the voivodeship board, voivodeship treasurer, secretary of the voivodeship, head of the voivodeship self-government unit organizational person, managing person and member of the voivodship managing body a legal person and a person issuing administrative decisions on behalf of the Marshal voivodships are required to submit a declaration of their state property, hereinafter referred to as the "asset declaration". Statement property concerns their separate property and property covered by the marriage joint property. The asset declaration contains information about:

- 1) cash resources, real estate, shares and stocks in companies trade and acquisition from the State Treasury of another state-owned person legal, local government units, their associations, municipal legal person or metropolitan association of property that was subject to disposal by tender, as well as data on running a business and regarding positions in commercial companies;
- 2) income obtained from employment or other gainful activity or classes, with the amount obtained for each title;
- 3) movable property with a value exceeding PLN 10,000;
- 4) monetary liabilities with a value exceeding PLN 10,000, including taken credits and loans and the terms on which they were granted.

2. The person submitting the declaration of assets determines their affiliation individual assets, income and liabilities to assets separate property and property covered by marital joint property.

3. Declaration of assets with a copy of your declaration of the amount the income earned in the tax year (PIT) for the previous year and its adjustment are submitted in two copies:

- 1) a councilor - the chairman of the voivodeship council;
- 2) the voivodship marshal, the chairman of the voivodship parliament - voivode;
- 3) Deputy Marshal of a voivodeship, member of the voivodeship board, secretary voivodship, voivodship treasurer, voivodship manager local government organizational unit, managing person and member of the body managing the voivodeship legal person and the person issuing the decisions administrative on behalf of the voivodeship marshal - the marshal voivodships.

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4. The councilor shall submit the first property declaration within 30 days from the date of taking the oath. For the first property declaration, there is a councilor obliged to attach information on the method and date of termination of driving economic activity with the use of the property of the province in which obtained a mandate, if he conducted such activity before the date of his election. Next property declarations are submitted by the councilor every year by April 30, as of December 31 of the previous year and 2 months before expiry of the term of office.

5. Member of the voivodship board, voivodship treasurer, secretary voivodship, head of the voivodeship self-government organizational unit, managing person and member of the managing body of the voivodeship legal person and the person issuing administrative decisions on behalf of the voivodship marshal make the first declaration of financial interests within 30 days from the date of selection or appointment to the position or from the date of employment under an employment contract. A member of the voivodship board for the first asset declaration, voivodship treasurer, voivodship secretary, voivodship manager local government organizational unit, managing person and member of the body managing the voivodeship legal person and the person issuing the decisions administrative on behalf of the voivodeship marshal are required to join information on the method and date of cessation of business activity business, if they conducted it before the day of election, appointment or employment. Subsequent asset declarations are submitted by them every year until the date April 30, as at December 31 of the previous year, and on dismissal or termination of the employment contract.

5a. If the time limits specified in sec. 4 or 5 will not be met, respectively, the chairman of the voivodeship council, voivode or marshal voivodship within 14 days from the date of failure to meet the deadline calls on the person who did not submit the declaration to submit it without delay by setting an additional fourteen-day period. This period is counted from the day effective delivery of the call.

6. Analyzes of the data contained in the financial declaration are carried out by persons, which the declaration of assets has been submitted. Persons to whom the declaration was made property, provide one copy to the competent tax office due to the place of residence of the person submitting the declaration of assets. The asset declaration is kept for 6 years.

7. The data included in the asset declaration is also analyzed the head of the tax office competent for the person's place of residence submitting a declaration of assets. By analyzing the asset declaration, the head of the tax office also takes into account the tax return earned income in the tax year (PIT) of the applicant's spouse statement.

8. The entity performing the analysis referred to in paragraphs 6 and 7, is entitled to compare the content of the analyzed property declaration and the attached one a copy of the declaration on the amount of income obtained in the tax year (PIT) with the content of previously submitted

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asset declarations and attached to them with copies of statements about the amount of income obtained in the tax year (PIT).

9. In case of suspicion that the person submitting the declaration of financial interests provided it untrue or concealed the truth, the subject carrying out the analysis submits the statement to the Central Anti-Corruption Bureau for control of her declaration of financial interests.

10. (deleted)

11. It applies to the proceedings on the control of financial declaration the provisions of the Act of June 9, 2006 on the Central Office apply accordingly Anti-corruption (Journal of Laws of 2018, items 2104 and 2399 and of 2019, items 53 and 125).

12. The entity analyzing the asset declarations by date On October 30 each year, he presents to the voivodship sejmik information about:

- 1) persons who have not submitted a financial declaration or have submitted it after time limit;
- 2) irregularities found in the analyzed declarations property with their description and an indication of the persons who submitted them incorrect statements;
- 3) actions taken in relation to identified irregularities in the analyzed asset declarations

13. The Prime Minister shall define, by means of a regulation, the model the form of a councilor's property declaration and a model form property declaration of a member of the voivodeship board, treasurer voivodeship, secretary of the voivodeship, head of the voivodeship self-government organizational unit, managing person and member of the managing body provincial legal person and the person issuing administrative decisions on behalf of the voivodship marshal, taking into account the prohibitions set out in reference to these persons in the provisions of the Act of August 21, 1997 on restriction conducting business activity by persons performing public functions (Journal of Laws of 2017, item 1393).

Art. 27d. 1. The information contained in the asset declaration is public, excluding information about the address of the person submitting the declaration and about the location of the property.

2. The voivode and the chairman of the voivodeship council submit the voivodship marshal copies of property declarations submitted to them.

3. Open information included in the asset declarations is made available in the Public Information Bulletin, referred to in the Act of September 6 2001 on access to public information (Journal of Laws of 2018, items 1330 and 1669).

Art. 27e. (deleted)

Art. 27f. 1. Failure to submit an asset declaration despite the expiry the additional period referred to in Art. 27c paragraph. 5a by:

- 1) a councilor - causes the mandate to expire pursuant to art. 383 of the act on which referred to in Article 27b paragraph 2;

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2) a member of the voivodeship board, voivodeship treasurer, secretary voivodeship, head of the voivodeship local government unit organizational structure, a managing person and a member of the managing body provincial legal person and the person issuing administrative decisions on behalf of the voivodship marshal - causes the loss of their remuneration for the period from the date on which the declaration should be submitted to the date of submission statements.

2. If a member of the voivodeship board or the voivodeship treasurer, they will not submit within the time limit for the declaration of assets, the voivodship sejmik dismisses them, by resolution, no later than 30 days from the date on which the time limit expired to make a statement.

3. If the secretary of the voivodship, the head of the voivodship self-government organizational unit, managing person and member of the managing body provincial legal person and the person issuing administrative decisions on behalf of the voivodship marshal, they do not submit a declaration on time property, the competent authority revokes them or terminates their employment contract 30 days after the deadline for submission at the latest statements.

4. Cancellation and termination of an employment contract as specified in para. 2 and 3 is tantamount to the termination of the employment contract without notice for pursuant to Art. 52 § 1 point 1 of the Labor Code.

Art. 27g. Providing untruth or concealing the truth in a statement property, results in liability under Art. 233 § 1 of the Code criminal.

Art. 27h. 1. Member of the voivodeship board, voivodeship treasurer, secretary of the voivodeship, head of the voivodeship self-government unit organizational person, managing person and member of the voivodship managing body a legal person and a person issuing administrative decisions on behalf of the Marshal of the voivodship during the performance of the function or duration of employment and for a period 3 years after termination of their function or termination of employment cannot be accepted any financial benefits, free of charge or for a fee, in an amount lower than its actual value from the entity or a dependent entity, if, by taking part in the decision in individual matters concerning him, they had a direct influence on its contents.

2. A subsidiary within the meaning of par. 1 is an entity in which:

1) the entrepreneur has a direct or indirect majority of votes in his bodies, also on the basis of agreements with other partners and shareholders;

2) the entrepreneur is entitled to appoint or recall the majority of the members of the subsidiary's management bodies;

3) more than half of the entrepreneur's management board members are simultaneously members of the management board or persons discharging managerial functions in an entity that is dependent on the entrepreneur.

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3. The prohibition referred to in sec. 1, does not apply to the acquisition of an item or service available as part of a public offer, and also does not apply to items customarily used for advertising and promotional purposes and prizes awarded in competitions for artistic activity.

Art. 28. 1. A voivodship parliament may appoint a permanent one from among its members and ad hoc commissions to perform specific tasks.

2. The statute of the voivodeship defines the subject of activity, scope of tasks and rules concerning the composition, internal organization and procedure of work of appointed committees by the regional council.

Art. 29. 1. Councilors may establish clubs of councilors.

2. The club of councilors consists of at least 3 councilors.

3. The rules of operation of councilor clubs are specified in the voivodship statute.

Art. 30. 1. The voivodship parliament controls the activities of the board voivodship and voivodship self-government organizational units. For this purpose, it appoints an audit committee.

2. The audit committee consists of councilors, including representatives all clubs. Membership in the audit commission cannot be combined with the functions of voivodship marshal, chairman and vice-chairmen of the voivodship sejmik and councilors who are members of the voivodship board.

3. The audit committee gives an opinion on the implementation of the budget and submits a motion to the voivodeship council on granting or not granting discharge voivodship board. This application is subject to the regional opinion the accounting chamber.

4. The chairman of the audit committee is the councilor of the largest club councilors who made a declaration of refusal to support the management board voivodships. In the event that two or more clubs of councilors are referred to in the first sentence, they consist of an equal number of councilors, the president may to be a councilor for each of these clubs.

Art. 30a. 1. The voivodship assembly examines: complaints about the actions of the management board voivodship and voivodship local government organizational units; applications and petitions from citizens; to this end, it appoints a complaints committee, applications and petitions.

2. The committee of complaints, motions and petitions consists of councilors, including representatives of all clubs. Membership in the complaints and motions committee and petitions cannot be combined with the functions of the voivodeship marshal, chairman and vice-presidents of the voivodeship council and councilors who are members voivodship board.

3. The rules and procedure of operation of the complaints, motions and petitions committees are specified in the statute of voivodships.

Art. 31. 1. The voivodship board is the executive body of the voivodeship.

2. The voivodship board, consisting of 5 people, includes the marshal

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voivodeship as its chairman, vice-marshal or 2 vice-marshals and other members.

2a. A person who is not may not be a member of the voivodeship board a Polish citizen.

3. Membership in the voivodship board cannot be combined with membership in a body of another local government unit and with employment in government administration, as well as with the mandate of deputy and senator. Loss of membership in the voivodship board takes place on the day of selection or employment.

4. Resolutions of the voivodship board are passed by a simple majority of votes in the presence of at least half of the statutory members of the management board in voting open, unless the provisions of the Act provide otherwise.

5. In the event of an equal number of votes, the Marshal's vote shall prevail voivodships.

Art. 32. 1. The voivodship parliament elects the voivodship board, including voivodship marshal and no more than 2 vice-marshals, within 3 months from the day of announcement of the election results by the competent electoral authority, z taking into account paragraph 2 and 3.

2. The regional parliament elects the marshal of the voivodeship in absolute terms by a majority of votes of the statutory composition of the sejmik, in a secret ballot.

3. The voivodship parliament elects deputy marshals and other members of the board at the request of the marshal by a simple majority of votes in the presence of at least half of the statutory composition of the sejmik, by secret ballot.

4. Marshal, deputy marshals and other members of the board voivodships may be elected from outside the voivodship sejmik.

5. To members of the voivodeship board elected from outside the sejmik voivodship, the provisions of art. 24 sec. 1 and 2.

Art. 33. 1. If the voivodeship assembly fails to elect the management board voivodship within the time limit specified in art. 32 sec. 1, is terminated by force rights.

2. Information on the dissolution of the voivodeship council for a specific reason in paragraph 1 voivode makes public in mass media transmission and announces, in the form of an announcement, in the provincial daily official.

3. After the voivodeship council is dissolved for a specific reason in paragraph 1, early elections are held.

4. Until the management board is elected by the new parliament, the Prime Minister, on application of the minister competent for public administration, appoints a person, which during this period performs the function of voivodeship local government bodies.

5. If the voivodship assembly is elected as a result of elections early, referred to in paragraph 3, fails to select the board within the time limit specified in Art. 32 sec. 1 shall be terminated by

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operation of law. Information about the dissolution of the sejmik is announced in the manner specified in paragraph 2.

6. In the case specified in sec. 5 no elections are held early. Until the election of the voivodeship council for the next term of office tasks and competences of self-government bodies voivodships are taken over by a government commissioner appointed by the President of the Council Ministers at the request of the minister responsible for public administration.

7. Voivodship authorities are also dissolved by operation of law in the cases specified in art. 390 § 1 point 3 and § 5 of the *Act of 5 January 2011 - Election Code*.

8. In the event of changes in the territorial division of the state, the effects of which specified in Art. 390 § 5 and § 8 of the act referred to in paragraph 7, apply the provisions of paragraphs 2-6, taking into account the principle that the person who included period, performs the function of voivodeship authorities, is designated for each from voivodships created as a result of changes in the territorial division of the state.

Art. 34. 1. A resolution of the voivodship sejmik in the matter of failure the voivodship board, the discharge is tantamount to submitting the application for dismissal of the voivodeship board, unless after the end of the financial year the voivodeship board was dismissed for another reason.

1a. The resolution on the discharge is adopted by the voivodeship parliament by an absolute majority of votes of the statutory composition of the voivodship sejmik.

2. The voivodship sejmik examines the matter of dismissal of the voivodship board for the reason specified in section 1 at the session convened not earlier than after 14 days from adopting the resolution not to grant discharge to the voivodeship board.

3. The voivodeship council, after examining the motion of the audit committee and the opinion of the regional audit chamber on the resolution of the voivodeship parliament on failure to grant discharge to the voivodeship board may be revoked by the board a voivodeship by a majority of at least 3/5 votes of the statutory composition of the sejmik, by secret ballot.

4. (deleted)

Art. 34a. 1. The voivodship board each year, until May 31, presents the voivodeship council report on the state of the voivodeship.

2. The report summarizes the activities of the voivodeship board during the year the previous one, in particular the implementation of policies, programs and strategies, resolutions voivodeship council and civic budget.

3. The voivodship parliament may determine by way of detailed resolutions report requirements.

4. The voivodship parliament examines the report referred to in paragraph 1, while session during which the resolution of the voivodship parliament on the matter is adopted granting or not

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granting discharge to the management board. The report is under consideration first. Above the presented report on the state of the voivodeship there is a debate.

5. In the debate on the report on the state of the voivodeship, councilors speak without time constraints.

6. In the debate on the report on the state of the voivodeship, inhabitants of the voivodeship can speak up.

7. A resident who would like to speak in the manner specified in sec. 6, submits a written application to the chairman of the regional council, supported by the signatures:

a) in the voivodeship up to 2,000,000 inhabitants - at least 500 people;

b) in a voivodeship with more than 2,000,000 inhabitants - at least 1,000 people.

8. The application shall be submitted no later than the day preceding the day for which a session has been convened at which the status report is to be presented voivodeships. Residents are allowed to vote in the order in which they were received by the chairman of the regional council. The number of able residents take part in the debate is 15, unless the sejmik decides to increase this numbers.

9. After the debate over the report on the state of the voivodeship, the sejmik is finished voivodeship votes on granting the voivodeship board a vote of confidence. Resolution on granting a vote of confidence to the voivodeship board The voivodeship sejmik is adopted by an absolute majority of statutory votes the composition of the voivodeship council. Failure to adopt a resolution on granting the management board voivodeship's vote of confidence is tantamount to adopting a resolution on failure to grant the voivodeship board of confidence.

10. Failure to pass a vote of confidence in the management board by the voivodeship parliament voivodeship is tantamount to submitting an application for dismissal of the management board.

11. The voivodeship parliament examines the matter of dismissal of the board voivodeship for the reasons specified in paragraph 10 at a session convened no earlier than after 14 days from adopting the resolution on failure to grant the management board voivodeship vote of confidence. The voivodeship sejmik may dismiss the board a voivodeship by a majority of at least 3/5 votes of the statutory composition of the sejmik, in open voting.

Art. 35 (deleted)

Art. 36 (deleted)

Art. 37. 1. A voivodeship parliament may dismiss a voivodeship marshal for reasons other than a failure to discharge or grant a vote of confidence only at the request of at least 1/4 of the statutory composition of the sejmik.

2. The application referred to in par. 1, requires a written form and justification the reasons for the appeal and is subject to the opinion of the audit committee.

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3. The marshal of a voivodship is recalled by a majority of at least 3/5 votes of the statutory composition of the sejmik, in a secret ballot. Vote the voivodship sejmik carries out the dismissal after hearing with the opinion of the audit committee at the next session after the one at which the application was submitted for appeal, but not earlier than 1 month from the date of notification application. If the application for dismissal of the voivodeship marshal has not been obtained of the required majority of votes, another motion for appeal may be submitted not earlier than 6 months after the previous vote.

4. Dismissal of the voivodeship marshal or submitting his resignation is tantamount to dismissal of the entire voivodeship board, respectively, or submission of resignation by the entire voivodeship board.

5. The voivodship sejmik may, at the justified request of the marshal voivodeship dismiss individual members of the board by a simple majority votes in the presence of at least half of the statutory composition of the sejmik, by secret ballot.

Art. 38. 1. In the event of resignation by the voivodship marshal it is adopted by a simple majority of votes.

2. In the event of the resignation of the voivodeship marshal, the voivodeship sejmik on the next session adopts a resolution accepting the resignation of the entire management board.

3. Failure to adopt the resolution referred to in paragraph 2 is equivalent with acceptance of the resignation on the last day of the month in which it was held a session of the voivodship sejmik, referred to in paragraph 2.

Art. 39. 1. In the event of dismissal or resignation of the entire board of the sejmik the voivodeship shall elect a new board in the manner referred to above in article 32, respectively, within 3 months from the date of cancellation or from accepting your resignation. If no new management board is selected within 3 months from the date of appeal or the date of acceptance of the resignation, the provisions of Article 33 shall apply accordingly.

2. In the event of dismissal of a member of the management board who is not his the chairman, the voivodship parliament elects a new member management board within 1 month from the date of appeal.

3. The dismissed voivodship board or its individual members act existing duties until the appointment of a new management board or individual its members. The voivodship sejmik may dismiss a board member from this obligation.

4. The provision of paragraph 3, first sentence, shall apply *mutatis mutandis* in the case of submission of resignation by the entire management board.

Art. 40. 1. In the event of resignation from membership in the management board by a member who is not its chairman is taken up by the voivodship sejmik a resolution to accept the resignation

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and discharge from the duties of a member by a simple majority of votes, no later than within 1 month from the date submitting a resignation.

2. Failure to adopt a resolution by the voivodship parliament on the date specified in referred to in paragraph 1, is tantamount to accepting the resignation at the end of the last one day of the month in which the resolution should be adopted.

3. In the event of resignation by a member of the management board who is not his the chairman of the voivodship is obliged, at the latest 1 month from the date of acceptance of the resignation or the expiry of the period referred to in paragraph 2, present to the voivodship sejmik a new candidate for a member the board.

Art. 41. 1. The voivodship board performs tasks belonging to the self-government voivodships, not reserved for the benefit of the voivodeship and voivodeship councils local government organizational units.

2. The tasks of the voivodeship board include in particular:

1) implementing the resolutions of the voivodeship council;

2) managing the property of the voivodeship, including exercising the rights attached to shares and shares owned by the voivodeship;

3) preparation of the project and implementation of the voivodeship budget;

4) preparation of draft strategies for the development of the voivodeship and other strategies development, spatial development plan, regional programs operational programs for the implementation of the partnership agreement in the field of cohesion policy and their implementation;

4a) monitoring and analyzing development processes in the system and the voivodeship development strategy, regional programs operational, development and contract implementation programs partnerships in the field of cohesion policy and territorial contract, referred to in the *Act of 6 December 2006 on the principles of operation development policy*;

5) organizing cooperation with the structures of regional self-government in others countries and with international regional associations;

6) managing, coordinating and controlling the activities of voivodeships local government organizational units, including hiring and firing heads of provincial self-government organizational units;

7) adopting the organizational regulations of the Marshal's Office.

3. The rules and mode of operation of the voivodeship board are specified in the voivodeship statute.

Art. 42. After the term of office of the voivodeship assembly, the voivodeship board operates until the new voivodeship board is elected.

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Art. 43. 1. The marshal of the voivodship organizes the work of the voivodship board and the Marshal's Office, manages the current affairs of the voivodeship and represents the province externally.

2. In urgent and immediate matters a threat to the public interest, directly threatening health and life and in matters that may cause significant material losses, the Marshal the voivodship takes the necessary actions within the competence of the board voivodships. Actions taken in this mode must be presented to approval at the next voivodeship board meeting.

3. The marshal of the voivodeship is the head of the marshal's office, the official superior of the employees of this office and managers voivodeship local government organizational units

Art. 44. 1. The voivodeship parliament shall appoint and dismiss the treasurer voivodeship (the chief accountant of the voivodeship budget), upon request voivodship marshal, by an absolute majority of votes, in the presence of at least half of the statutory composition of the sejmik, by secret ballot.

2. The voivodeship treasurer participates in the works and meetings of the board voivodeship and voivodeship council with an advisory vote.

Art. 45. 1. The voivodship board performs voivodship tasks at assistance from the Marshal's Office and voivodeship local government units organizational or provincial legal persons.

2. The legal status of voivodeship local government employees is specified in a separate one law.

Art. 46. 1. Decisions in individual administrative matters public it seems the marshal of the voivodeship, if special provisions do not state otherwise.

2. The voivodship marshal may authorize the remaining vice-marshals members of the voivodeship board, employees of the marshal's office and heads of provincial self-government organizational units to issuing on its behalf the decisions referred to in paragraph 1.

2a. Decisions issued by the voivodship board in matters related to public administration is signed by the Marshal. The decision mentions names and the names of the board members who participated in the decision.

3. The decisions referred to in paragraph 1, there is a reference to the local government an appeal board, and in matters entrusted on the basis of an agreement with the voivode - to the competent minister.

4. (deleted)

## **Chapter 4**

### **Property of the provincial government**

Art. 47. 1. The property of a voivodeship is ownership and other property rights acquired by a voivodeship or other voivodeship legal persons.

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2. Provincial legal persons, apart from the province, are self-governmental organizational units to which the laws explicitly grant such status, and these persons legal, which may be created on the basis of separate acts only by voivodeship.

3. The voivodeship is a subject of rights in civil law relations and obligations that apply to the property of the voivodeship that does not belong to others provincial legal persons.

Art. 48. Acquisition of voivodeship property takes place on the terms specified in the Civil Code and other acts, as well as by transferring property The State Treasury and the property of the State Treasury legal persons on the terms specified in this Act.

Art. 49. 1. Provision of the State Treasury property and property to the voivodship Treasury owned by state legal persons, serving implementation of the voivodeship's tasks, in particular those specified in art. 14, follows on on the basis of an administrative decision of the voivode issued ex officio, subject to Art. 50.

2. The body of appeal against the decision referred to in para. 1, there is a minister competent for public administration.

3. The acquisition of property is free of charge and takes place on the date on which the decision is made about his handing over has become final.

Art. 50. 1. Provision of the State Treasury property and property to the voivodship Treasury owned by state legal persons, serving the performance of economic tasks exceeding the scope of public utility, may take place at the request of the voivodeship board, if the property serves this purpose aims to implement the voivodeship development strategy and regional programs operational, with the exception of property intended to satisfy claims re-privatization and the implementation of the program of general expropriation.

2. The transfer of property specified in paragrap 1 is free of charge, in the mode appropriate for the transfer of acquired rights, except that the transfer of ownership and other rights to things is made on the basis of the final decision of the minister competent for public administration.

3. Refusal to hand over the property referred to in paragraph 1, follows on the way the final decision of the minister competent for public administration.

Art. 51. 1. Acquisition of the transferred property of the State Treasury and property Treasury, which is in the hands of state legal persons, follows along with the encumbrances that should be disclosed in the transfer decision.

2. Disclosure of encumbrances does not infringe the rights of third parties.

3. The provisions of paragraphs 1 and 2 shall not apply to the obligations of the State Treasury and state legal persons resulting from the activities of bodies and institutions possessing the transferred property, arising before the date of its takeover by province.

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Art. 52. Transfer of property of the State Treasury and property of the State Treasury which is under the control of state legal persons, the voivodeship is free from taxes and fees.

Art. 53. For proceedings regarding the transfer of property, by way of a decision, the provisions of the Code of Administrative Procedure shall apply accordingly.

Art. 54. 1. The final decision on transferring to the voivodship the rights that are or may be disclosed in the land register, is the basis for entry in the register.

2. The proceedings concerning the entry are free of court fees. Art. 55. Province property rights not belonging to others provincial legal persons, is performed by the provincial board.

Art. 56. 1. Managers of voivodship self-government units organizational organizations without legal personality act individually on on the basis of a power of attorney granted by the voivodeship board.

2. For activities exceeding the scope of the power of attorney it is required consent, in the form of a resolution, of the voivodeship board.

Art. 57. 1. Declarations of will on behalf of the voivodeship are made by the marshal voivodeship together with a member of the voivodeship board, unless the statute voivodship states otherwise.

2. A voivodeship parliament may authorize the marshal to single-person submission of declarations of will, other than those provided for in the statute voivodships.

3. A legal act which gives rise to a pecuniary obligation requires it the effectiveness of the countersignature of the chief accountant of the voivodeship budget or a person authorized by him.

4. The chief accountant of the voivodeship budget who refuses to countersign it, however, it is made at the written request of the voivodeship marshal, informing at the same time, about the voivodship sejmik and the regional accounting chamber.

5. The voivodeship board may authorize office employees Marshal to make declarations of will related to the operation the current activity of the voivodeship.

Art. 58. 1. Provincial legal entities independently decide within limits acts on the manner of exercising their property rights, except that free disposal of property and sale of:

1) real estate for public or direct use meeting public needs,

2) items of particular scientific and historical value, cultural or natural - requires the consent, in the form of a resolution, of the voivodeship board.

2. The consent of the voivodeship board also requires a change of destination the components of the property referred to in paragraph 1 points 1 and 2.

3. The resolutions of the voivodeship board referred to in paragraphs 1 and 2 are subject to the supervision referred to in Chapter 7 of the Act.

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Art. 59. 1. In the case of sale by a voivodeship or another voivodeship a legal person of items of special scientific value, historical, cultural or natural, the State Treasury has the right pre-emption or redemption performed on the terms set out in the Code civil.

2. Property acquired free of charge from the State Treasury shall be subject, in cases specified in section 1, reimbursed on his behalf, if the authorized state authority will make a request for a refund.

Art. 59a. 1. The voivodeship may conclude an agreement with the investor pursuant to which in return for the implementation of an investment that meets collective needs community, related to the occupation by the investor of the road lane for the purpose placing technical infrastructure devices in the road lane not related to road management or traffic needs road, will set a lower lane toll rate than specified in the resolution referred to in Article 40 section 8 of the *Act of March 21 1985 on public roads* (Journal of Laws of 2018, item 2068 and of 2019, item 698, 730, 1495, 1716 and 1815). The contract is concluded in compliance with the provisions regarding public aid.

2. The voivodeship announces it in the *Public Information Bulletin* and on the website province website and otherwise customary in the area voivodeship announcement of the intention to conclude a contract. The message says what the least, an indication of the type of investment that meets collective needs community that the voivodeship expects to implement by the investor, and information on the time limit within which investors may express their interest concluding a contract.

3. The conclusion of the contract is preceded by negotiations with the investors who have applied interest in its conclusion.

4. The conclusion of the contract may not take place before 30 days from the date of expiry the deadline for notification of interest in its conclusion, indicated in the announcement.

5. The contract specifies at least:

1) type of investment along with an indication of the purpose for which it is to be concluded from the point of view of meeting the collective needs of the community;

2) the manner, place and detailed conditions of the investment implementation;

3) the amount of the fee for the occupation of the road lane in relation to technical infrastructure devices located in the road lane related to the implementation of the investment.

6. The amount of the fee rate referred to in section 5 point 3, it is hereby determined:

1) based on the projected number of square meters of the runway road occupied by unrelated technical infrastructure equipment with road management or road traffic needs, placed in the road lane in connection with the implementation of the investment;

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- 2) based on data on the investor's expected revenues from the investment the investment within 5 years from its completion;
- 3) at a level that allows the investor to recover the difference between the estimated net present value of the investment on the date in question in point 2, taking into account the obligation to pay tolls for the occupation of the lane road calculated according to the amount of toll rates set in the resolution referred to in Article 40 section 8 of the *Act of March 21, 1985. on public roads* and the projected net present value of the investment within this period, taking into account a reasonable return on investment.

7. The agreement shall be null and void in the form of an act notarization.

8. Information about the conclusion of the contract along with its content is subject to immediate publication in the *Public Information Bulletin* and on the website voivodship and otherwise customary in the voivodeship.

9. The provisions of paragraphs 2-8.

Art. 60. The voivodship is not responsible for obligations other provincial legal persons, unless a special provision provides otherwise. Other provincial legal entities are not responsible for voivodship obligations.

Art. 60a. 1. The duty of persons participating in property management voivodeship is to exercise special diligence in the performance of management according to the intended use of this property and its protection.

2. The protection of property includes in particular the possibility of using technical means to record images (monitoring) on the premises real estate and construction facilities constituting the property of the voivodeship, as well as in the area around such properties and structures.

3. Monitoring does not include sanitary rooms, cloakrooms, canteens, smoking rooms and social facilities.

4. Image recordings containing personal data are processed only to the purposes for which it was collected and shall be kept for a period not exceeding 3 months from the date of recording, unless separate regulations provide otherwise.

5. After the expiry of the period referred to in section 4, obtained as a result monitoring, image recordings containing personal data are destroyed, except where the recordings have been protected in accordance with separate regulations.

6. Real estate and construction objects subject to monitoring are marked in visible and legible information about monitoring, in particular by means of appropriate characters.

7. Monitoring within which data is processed personal data requires the use of security measures for the processing of these data, in particular preventing their loss or illegal dissemination, as well as preventing people from accessing the data unauthorized.

## Chapter 5

### Finance of the voivodeship self-government

Art. 61. The budget resolution is the basis for an independent economy financial district.

Art. 62 (deleted)

Art. 63 (deleted)

Art. 64 (deleted)

Art. 65 (deleted)

Art. 66 (deleted)

Art. 67.1 (deleted)

2. (deleted)

3. Transferring new tasks to the voivodship by statute requires ensuring the necessary financial resources for their implementation in the form of increase income.

Art. 68 (deleted)

Art. 69 (deleted)

Art. 70. 1. Responsible for the correct implementation of the voivodeship budget voivodship board.

2. The voivodeship board has the exclusive right to:

- 1) incurring obligations to be covered in the resolution budgetary amounts of expenditure, under the mandate given by voivodeship council;
- 2) issuing securities under the authorizations granted by the regional council;
- 3) making budgetary expenses;
- 4) submitting proposals for changes in the voivodship budget;
- 5) managing the provincial budget reserves;
- 6) blocking budgetary funds in the cases specified by the Act.

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Art. 71. (deleted)

Art. 72. Management of financial resources at the disposal

the voivodeship self-government is public. The disclosure requirement is met between

others by:

1) keeping the budget debate open;

2) publication of the budget resolution and reports on budget implementation voivodships;

3) presenting a complete list of the amounts of earmarked subsidies granted from the budget

voivodships.

4) (deleted)

Art. 73 (deleted)

Art. 74. The disposition of voivodship funds is separate from its cash execution.

## **Chapter 6**

### **Foreign cooperation**

Art. 75. The voivodship parliament adopts the "Priorities for foreign cooperation voivodships ", specifying:

1) the main goals of foreign cooperation;

2) geographic priorities for future cooperation;

3) intentions to join international associations

regional.

Art. 76. 1. Cooperation of the voivodeship with regional communities other countries is carried out in accordance with domestic law and policy the foreign country and its international obligations, within borders tasks and competences of the voivodeship.

2. The voivodeship participates in the activities of international institutions regional and is represented in them on the terms specified in an agreement concluded by national organizations of individuals local government.

3. The rules of joining the voivodeship to international associations local and regional communities are governed by separate regulations.

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Art. 77. 1. "Priorities of the voivodeship's foreign cooperation" may be adopted and foreign initiatives of the voivodeship, in particular draft agreements on regional cooperation may be undertaken with consent the minister responsible for foreign affairs.

2. The resolutions referred to in par. 1, fall by an absolute majority votes of the statutory composition of the voivodship sejmik.

3. The resolution and concluded agreements on regional cooperation referred to in paragraph 1, are sent by the marshal of the voivodeship to the minister responsible for foreign affairs and the minister competent for public administration.

## Chapter 7

### Supervision over the activities of the voivodeship self-government

Art. 78. 1. Supervision over the activities of the voivodeship self-government is exercised President of the Council of Ministers and voivode, and in financial matters – regional clearing house.

2. The supervision authorities may only intervene in the activities of the voivodeship in cases specified by law.

Art. 79. Supervision over the performance of voivodeship tasks is exercised on compliance with the law.

Art. 80. Supervisory authorities have the right to demand information and data, concerning the organization and functioning of the voivodeship, necessary for exercising their supervisory powers.

Art. 80a. 1. If the law makes the validity of the decision of the authority dependent the provincial government from its approval, consultation or opinion by another authority, the position of that authority should be taken no later than within 14 days from the date of delivery of this decision or its draft, subject to paragraph 2.

2. The time limit referred to in section 1, is 30 days, if the approval, an agreement or opinion is required from the entity's decision-making body local government.

3. If the authority referred to in paragraphs 1 and 2, will not take a position on the matter, the decision is deemed accepted in the wording presented by province, upon the expiry of the period specified in paragraph 1 or 2.

4. To be approved, consulted or reviewed by self-government bodies voivodship decisions of other authorities the provisions of paragraphs 1-3 apply respectively.

Art. 81. The marshal of the voivodship presents the voivode with the resolutions of the sejmik voivodship and voivodship board resolutions subject to supervision during 7 days from the date of their collection. At the same time, the voivodship marshal presents to the regional accounting chamber the resolutions covered by the supervision chambers.

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Art. 82. 1. Illegal resolution of a voivodship self-government body is invalid. The supervisory authority decides on the invalidity of the resolution in whole or in part no later than 30 days from the date of delivery of the resolution in accordance with the procedure specified in art. 81.

2. The supervisory authority, initiating the procedure for the finding the resolution is invalid or may suspend it in the course of such proceedings execution.

3. The provision of paragraph 2 shall not apply to the resolution appealing against the decision supervisory board to the administrative court.

4. A supervisory decision should contain factual justification and legal issues as well as instruction on the admissibility of bringing a complaint to court administrative.

5. In the case of a minor breach of law, the supervisory authority does not find out invalidity of the resolution, limiting itself to indicating that the resolution has been issued in violation of the law.

6. The provisions of the Code of Administrative Procedure shall apply respectively.

Art. 82a. 1. Declaring the authority's resolution invalid the provincial government suspends its execution by operation of law in the scope covered by the declaration of invalidity, on the date of delivery of the decision supervisory board.

2. The provision of para. 1 shall not apply to the resolution appealing against the decision supervisory board to the administrative court.

Art. 82b. 1. In the event of submission by a voivodeship self-government body complaints against a supervisory decision, the administrative court appoints a hearing no later than 30 days from the date the complaint is received by the court.

2. In the event of a complaint against the decision referred to in Art. 84 paragraph 2 and art. 85 sec. 1, the administrative court shall consider the complaint within 30 days. The Supreme Administrative Court examines a cassation appeal within 30 days.

Art. 82c. 1. After the deadline specified in Article 82 section 1, the supervisory authority cannot independently declare the resolution of a local government body invalid voivodships. In this case, the supervisory authority may appeal the resolution to the court administrative.

2. In the cases referred to in paragraph 1, the issue of the order it is up to the court to suspend the execution of the resolution.

Art. 83. 1. The resolution of a self-government body shall not be declared invalid voivodship after one year from the date of its adoption, unless otherwise infringed the obligation to submit a resolution within the time limit specified in Article 81, or if the resolution is an act of local law.

2. If the resolution has not been declared invalid due to the expiry of the deadline referred to in paragraph 1, and there are grounds for annulment, the court administrative decides

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that the resolution is unlawful. Such a resolution is repealed legal as of the date of the decision about its inconsistency with the law. Code provisions and administrative proceedings as of the effect of such a ruling apply respectively.

Art. 84. 1. In the event of a repeated violation by the voivodeship parliament of the Constitution or statutes, the Sejm, at the request of the Prime Minister, may by way of resolutions dissolve the voivodeship assembly. Dissolution of the voivodeship council is tantamount to the dissolution of all voivodeship self-government bodies. The Prime Minister at the request of the minister competent for public administration then appoints a person who pending the election of new bodies the voivodeship local government performs the function of these bodies.

2. If the repeated infringement of the Constitution or statutes is committed by the voivodeship board, the voivode calls the voivodeship parliament to apply necessary measures, and if the call is unsuccessful – through the minister responsible for public administration - submits the application to the Prime Minister to dissolve the voivodeship board. In case of dissolution of the management board, until the new management board is elected, the management board functions as a person appointed by the Prime Minister.

Art. 85. 1. In the event of a quick and prolonged improvement not likely lack of effectiveness in the performance of public tasks by local government bodies voivodeship Prime Minister, at the request of the minister responsible for public administration, may suspend voivodeship self-government bodies and establish receivership for a period of up to 2 years, but no longer than at will the voivodeship board by the voivodeship parliament of the new term of office.

2. The appointment of a receivership may take place after the previous one presenting the charges to the voivodeship self-government authorities and summoning them to immediate presentation of a program to improve the situation of the voivodeship.

3. The government commissioner is appointed by the Prime Minister on request of the voivode, notified through the minister responsible for public administration.

4. The government commissioner takes over the tasks and powers of the organs of the provincial government on the day of its appointment.

Art. 86. 1. Decisions of the supervisory authority concerning the voivodeship, including decisions referred to in art. 84 section 2 and article 85 section 1 and also the position taken pursuant to Article 80a, are subject to appeal to the court administrative due to non-compliance with the law within 30 days from their date of delivery.

2. The voivodeship is entitled to file a complaint. The basis for bringing the complaint is a resolution of the voivodeship council.

2a. To submit a complaint against the decision of the supervisory authority regarding resolutions of the voivodeship sejmik, delivered after the term of office of the sejmik, the voivodeship sejmik

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of the next term of office is entitled within 30 days from the date elect the chairman of the regional council.

3. The voivodship whose legal interest is the authority or competence has been violated. The basis for lodging a complaint there is a resolution of the body which passed the resolution or which the decision concerns supervisory.

4. Supervisory decisions become final after the deadline envisaged for lodging a complaint or on the day the complaint is dismissed or rejected her by the court.

Art. 86a. 1. If the competent authority of the voivodeship, against the obligation resulting from the provisions of Article 383 § 2 and 6 of the Act referred to in Article 33 paragraph 7, and art. 5 sections 2, 3 and 5 of the Restriction Act of August 21, 1997 conducting business activity by persons performing public functions, as regards the expiry of the term of the councilor's mandate, respectively, cancellation with position or termination of an employment contract with a member of the voivodeship board voivodeship secretary, voivodeship treasurer, manager provincial self-government organizational unit and a managing person or member of the management body of a voivodeship legal person, does not take resolutions, does not recall from office or does not terminate the employment contract, the voivode calls on the voivodship authority to adopt a resolution within 30 days.

1a. The provision of paragraph 1 shall apply mutatis mutandis to the obligations referred to in art. 6a of the Act of November 21, 2008 on local government employees (Journal of Laws of 2018, items 1260 and 1669).

2. In the event of ineffective expiry of the period specified in para. 1, voivode, after notifying the minister responsible for public administration, it issues substitute order.

3. The provision of Article 86 shall apply mutatis mutandis, except that it is entitled to submit the complaint is also made by the person whose legal interest or entitlement is concerned substitute order.

Art. 87. The court proceedings referred to in Article 82 and 86 are free from court fees.

Art. 88. The provisions of this chapter shall not apply to the decision individual cases in the field of public administration, issued by the provincial government authorities. Institutional control in this respect and non-institutional supervision and control exercised by the court are regulated by law separate.

Art. 88a. (deleted)

## **Chapter 8**

### **Local law acts enacted by the voivodeship local government**

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Art. 89. 1. On the basis of this Act and on the basis of authorizations granted in other acts and within their limits is the voivodship sejmik acts of local law in force in the area of a voivodeship or its part.

2. The chairman of the voivodeship council signs legal acts local, adopted by the voivodeship council, immediately after their adoption and forwards them for publication in the provincial official journal.

3. The resolution is also subject to publication in the voivodeship official journal voivodship budget and a report on the implementation of the voivodship budget.

4. Principles and procedure of announcing acts of local law and issuing the provincial official journal is specified by the *Act of July 20, 2000. on announcing normative acts* and some other legal acts (Journal of Laws of 2017, item 1523 and of 2018, item 2243).

5. (deleted)

Art. 89a. 1. A group of the region's inhabitants with active rights elections to a decision-making body, may submit a citizens' initiative legislative.

2. The group of residents referred to in para. 1 must count at least 1000 people.

3. Draft resolution submitted as part of a civic initiative becomes the subject of the voivodship sejmik deliberations at the next one sessions after submitting the draft, but not later than after 3 months from the date of submission of the project.

4. The resolution initiative committee has the right to appoint persons entitled to represent the committee during the work of the voivodship assembly.

5. The voivodship sejmik shall define by resolution: detailed rules bringing in civic initiatives, principles of establishing initiative committees legislative, rules for promoting civic resolution initiatives, formal requirements to be met by submitted projects, subject to provisions of this Act.

Art. 90. 1. Anyone whose legal interest or right has been violated a provision of a local law act, issued in an administrative matter public, may challenge the provision to an administrative court.

2. (deleted)

3. The provision of paragraph 1 shall not apply if the case has already been ruled by a court administrative and dismissed the complaint.

4. (deleted)

Art. 91. 1. The provisions of Article 90 shall apply mutatis mutandis when a self-government body the voivodeship does not perform the activities prescribed by law or by legal or factual actions taken violate the rights of third parties.

2. In the cases referred to in paragraph 1, the administrative court may order the supervisory authority to perform necessary activities for the complainant.

## Chapter 9

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**Final provisions**

Art. 92. The Act shall enter into force on the date and on the terms specified in a separate act<sup>2</sup>

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<sup>2</sup> The act entered into force:

- on January 1, 1999, with the exception of Art. 2 clause 1, art. 7, art. 8, art. 9, art. 15, art. 16 sec. 1, art. 18 point 1 lit. a, points 15, 17, 20 and 21, art. 19 paragraph 1 and 2, art. 20, art. 21 sec. 1 and 2, art. 22, art. 23, art. 24 sec. 1, 2 and 5, art. 25, art. 27, art. 28, art. 29, art. 30 sec. 1 and 2, art. 31, art. 32, art. 41 paragraph 2 points 1, 6 and 7 and sec. 3, art. 43 sec. 1, art. 44, art. 46 sec. 4, art. 73 sec. 1 and 2, art. 78, art. 79, art. 80, art. 81, art. 82, art. 83 and art. 89 paragraph. 1, 2 and 4, which entered into force on October 22, 2019, announcements in the Journal of Laws of the Republic of Poland by the State Commission Election of collective results of elections to regional assemblies, pursuant to Art. 2 the Act of 24 July 1998 on the entry into force of the Act on County Local Government, the Act on the voivodeship self-government and the act on government administration in the voivodeship (Journal of Laws item 631); announcement of the National Electoral Commission of October 23, 1998. on the collective results of the elections to the regional assemblies was announced on Oct 27, 1998; - on the terms specified in the Act of 13 October 1998 – Regulations introducing acts reforming the public administration (Journal of Laws, items 872 and 1126, of 2000, item 70, 136, 228, 239, 632, 1041 and 1312, from 2001, item 497, 1084, 1194 and 1623, of 2009, item 206 and of 2016, item 2260).