

Chapter 5



Local Government in Poland

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Decentralization: Experiments and Reforms

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1. Overview of Local Government Reform

The adoption of the Act on Local Self-government in March 1990 signified the first step of local government reform in Poland. Elections to local councils were held in May of that year. Since voivodship (*województwo*) councils were simultaneously abolished, a system was introduced in which local government existed only at the municipal (*gmina*) level.

An official appointed by the prime minister, the voivode (*wojewoda*), is the chief of the state administration. The territorial office (*rejon*) was introduced in August 1990 to address social services that remained the responsibility of the state administration—such as secondary schools, health care, law enforcement, fire protection, sanitation, veterinary control and building inspection—based on the system of counties (*powiat*) that existed before 1975. Most territorial offices (268 in total), though organs of the state administration, were established in cities that before 1975 had been seats of the county authorities. However, while the former counties were quasi-local governments (the county council was an elected body, but it is problematic to classify the system that existed before 1989 as authentic local government), the territorial offices were exclusively bodies of the state administration.

The act of March 1990 provided for a local government assembly (*sejmik wojewódzki*) at the voivodship level. It was a body adjudicating disputes between citizens and the municipalities, but it also served as an advisory body to the voivode. Nonetheless, since it was comprised of delegates from each municipality, it could be regarded only as a quasi-local government body.

In April 1992 parliament (the *Sejm* or Diet) passed the Constitutional Act (the so-called “small constitution”). The new basic legislation reflected changes that had occurred in Poland since 1989, but in subsequent years the *Sejm* continued to work on an entirely new constitution. The many disputes that surfaced during this time in discussions among experts and politicians revolved mainly around proposals on the number of tiers of the local government structure.

From the very start of the transformation of Poland’s government framework in 1989–90, work has progressed on the comprehensive reform of public administration. Reform was aimed to change the territorial division of the country in existence since 1975, comprised of 49 voivodships and nearly 2.5 thousand municipalities. The intention was to reduce the number of voivodships,

which seemed too large for a democratic and decentralized state, and to restore the second tier of local government—counties. In 1993 a map was published on the division of Poland into 338 counties (including forty-five urban counties). Although work simultaneously was completed on the demarcation of new voivodships—in three variations: 12, 17 and 25—for political reasons (during the period before elections to parliament) the maps of these changes were not presented to the public. Since some local communities opposed the plan to divide Poland into counties, in 1993 a second version of the map was presented showing 368 counties, including forty-eight urban centers. Here it should be mentioned that at the time they were abolished in 1975, 395 counties—including seventy-eight urban ones—and 17 voivodships—including five cities that were granted the rights of voivodships—existed in Poland.

When the Alliance of the Democratic Left, the Polish Peasant Party and the Union of Labor (all leftist) assumed power in 1993, work on local government reform came to a halt due to strong opposition to the introduction of counties by the Polish Peasant Party. The main argument presented was that the introduction of this second tier of local government would deprive municipalities of authority and of government funds. In the opinion of some experts, another reason that was not voiced publicly was the conviction that under the new territorial division of the country the Polish Peasant Party, whose main electorate was in rural areas and small towns, would lose seats in the Sejm on account of the introduction of a new election law after the creation of counties and the reduction in the number of voivodships, which would favor parties with broader support in large and middle-sized cities.

From 1994 to 1996 the Polish government and the Sejm did take some steps to reform public administration. These included: (1) a pilot program extending the power of large cities by transferring some state administration tasks to local authorities and the Act on the Local Self-government of Warsaw, which created a unique two-tiered system, in 1994, both of which were prepared by the previous government, (2) introduction of the Civil Service Act and (3) governmental reform itself that abolished some ministries. Nonetheless, the bulk of the work on introducing the second and third tiers of local government stalled.

The situation started to change in 1996, when the Ministry of Internal Affairs and Administration¹ appointed a team of experts to continue work on the division of the country into counties and voivodships. Discussions ensued in October 1996 in ten large regional centers involving scholars and representatives of municipalities and of the territorial administration. The result of these talks was a report on the principles of reform entitled “An Effective, Friendly, Safe State: Program for Decentralization of State Functions and Development of Local Self-government.” Most of the principles contained therein resembled projects that the former government prepared in 1992–93. One of the most important elements included in the 1997 project was a preliminary estimate of the cost of reform, taking into account the number of full-time jobs necessary for new local government units of the second tier and the number of public administration employees in liquidated voivodships who would lose their posts. The project also contained calculations of the approximate revenues and expenditures of the proposed counties.

A coalition of the center-right came to power as a result of the parliamentary elections of autumn 1997. One of its main campaign promises was completion of the local government reform initiated in 1990. A few weeks after the new government was formed it sent a bill to the Sejm proposing the division of the country into counties and voivodships, but the bill encountered strong resistance from the opposition (many points resembled those presented by the leftist government a few months earlier) as well as from parliamentarians of the ruling coalition, especially representatives of the nationalist parties and deputies from voivodships slated to be abolished. The bill was amended based on many months of discussion, and in summer 1998 the Sejm passed an act on the creation of the county tier in Poland. The division of the country into voivodships, the third tier of local government, aroused even more debate. The government proposed twelve voivodships, but numerous deputies were against this, favoring twenty-five or even twenty-seven. The Polish Peasant Party and small rightist groupings remained strongly opposed to the reform for reasons mentioned previously. Others protested that the aim of the reform was to cast the government's financial troubles on local government. They also claimed that the reform would raise conflict among the various tiers of local government. However, a compromise solution was reached, and sixteen voivodships were approved. The increase from the number presented by the project was a success of the leftist opposition (Alliance of the Democratic Left, which demanded a return to seventeen voivodships as before 1975).

According to a decision taken by the Sejm in summer 1998 Poland was divided into 16 voivodships and 373 counties, including 65 urban counties, on 1 January 1999. At the same time, the 268 territorial offices were abolished, and most of their tasks were transferred to the new counties.

Some local communities, especially in cities that aspired to become district seats, protested against the reform (for example, they blocked roads and railway lines and held demonstrations in Warsaw in front of the parliament building and the seat of the central government). The final decision to increase the number of voivodships to sixteen was made largely under pressure from inhabitants of the threatened voivodships. In order to mollify social tensions, provincial assemblies and various institutions of the voivodship tier were established in some of the former territorial centers (the seat of the voivode is supposed to be located in another city). Although an impediment to the functioning of regional bodies and an inconvenience to residents, this compromise prevented the firing of qualified employees and limited the migration of officials to the new seats. The government also invited local governments to suggest alterations in the division of counties and voivodships from 1 February 1999.

2. Legal and Constitutional Basis

The constitution adopted in April 1997 (after a referendum) states that Poland is a unitary state and that local government ensures decentralization of public authority. Legal residents of units of the basic territorial division comprise a local government community, and local government exercises public authority by performing the tasks assigned to it.

The 1997 constitution regulates relations between the state administration and local government. The prime minister, voivodes and regional accounting chambers supervise local governments. Organs of local government that violate the constitution or acts of parliament may be dissolved upon motion of the prime minister. Local governments have the right to form associations and participate in international associations of local and regional communities and to cooperate with local and regional communities of other states.

Chapter VII of the constitution, entitled “Local Self-government,” is devoted entirely to this issue, averring that the basic unit of local government is the municipality, while the Act on Local Self-government defines other units of both strictly regional and regional and local government. A certain digression is necessary here. During work on the constitution some political parties—mainly the Union of Freedom—tried to include a clause establishing the county as the second-tier local government unit. However, the influential Polish Peasant Party was opposed to this idea; its leaders proposed that the second tier should be the voivodship, which at the time was solely an organ of the state administration. During parliamentary debate the Polish Peasant Party forced the notion that exclusively the municipality would be mentioned by name as a unit of local government in the constitution. Since the constitution encountered such strong resistance from rightist parties and opposition groups, the Alliance of the Democratic Left succumbed and omitted mention of counties and voivodships. Another reason for this exclusion was the fact that the constitutional debates took place before the parliamentary elections scheduled for autumn 1997.

The constitution establishes that units of local government are legal persons and grants them the right to own property. Public tasks that serve to satisfy the needs of the local community are assigned to local governments. The state administration may also commission local governments to assume additional responsibilities. Administrative courts resolve disputed issues between organs of local government and of the state administration. The powers of individual tiers of local government are elaborated in an act that amended the organizational reform of the government of 24 July 1998 defining the authority of public administration organs. An important concept introduced in the new constitution is the ability to dismiss a local authority before expiration of its term of office; referendums may be held on issues concerning a given community, including the dismissal of an organ of local government chosen in direct elections.

2.1 Legal Basis of Municipalities

As mentioned above, according to the constitution the primary unit of local government in Poland is the municipality. Its tasks are described in the Act on Local Self-government of 1990, according to which there is no formal urban and rural division of municipalities. In practice, the following distinctions are made in official statistics and in the titles of local governmental institutions: (1) urban (municipality with a local council for one large or medium-sized city),

(2) urban-rural (municipality with a local council for one town and several nearby villages) and (3) rural (municipality composed exclusively of rural settlements). Thus the system of local government is not always integrated with its settlement network.

Although the constitution states that the basic unit of local government is the municipality, the Act on Local Self-government of 1990 permits the creation of “auxiliary units” within the municipality, including quarters and housing estate councils in large cities. On account of the rather low level of political culture in Poland, units of this type are rather uncommon. Their counterparts in rural areas, however, are councils that have a long tradition of representative governance.

Tasks of the municipality are defined in the Act on Local Self-government of 8 March 1990, which states that the jurisdiction of the local council extends to all matters falling within the terms of reference of the municipality unless stipulated otherwise by separate legislation. Two basic types of responsibilities are distinguished: obligatory functions and those delegated by the state administration. Obligatory tasks may be assigned only by parliamentary acts; those currently falling under the jurisdiction of municipalities include:

- land use, local development and environmental protection;
- local roads, streets, bridges and traffic control;
- water supply, sewage, waste disposal, electricity and gas supply;
- local public transportation;
- health care;
- social services;
- housing;
- preschools and primary education;
- culture and libraries;
- physical training and sport;
- maintenance of marketplaces;
- maintenance of public parks;
- maintenance of cemeteries;
- local public security and fire protection;
- maintenance of public utility buildings.

The state administration may transfer some of its authority and responsibilities to a municipality by specific legislation or mutual agreement and must finance such activities in full. Delegated functions can include the registration of marriages, births and deaths; the provision of identity cards and drivers licenses; civil defense; sanitation; environmental protection; building control; et cetera.

A municipality is a legal person and may promulgate local law. The prime minister exercises supervision over the activities of the municipality, while the regional accounting chamber regulates its financial activities; both institutions have authority over only the legality of decisions.

2.2 Legal Basis of Counties

According to the authors of the 1990 reform (J. Regulski, W. Panko, M. Kulesza, A. Kuklinski, J. Stepień, P. Buczkowski, L. Kieres and others), the establishment of the municipal level was only the first step in the process of revitalizing local government in Poland. On 1 January 1999 counties were introduced as the second tier. According to the Act on County Self-government of 5 June 1998, the county carries out certain statutory tasks, namely in:

- education;
- health care and promotion;
- social welfare;
- profamily policy;
- assistance to the handicapped;
- transportation and public roads;
- culture and protection of cultural monuments;
- physical culture and tourism;
- property management;
- land use and building supervision;
- water management;
- environmental protection;
- agriculture, forestry and inland fishing;
- public order and local public security;
- flood and fire protection, prevention of other extraordinary threats to the life and health of residents and the environment;
- addressing unemployment and stimulating the local labor market;
- protection of consumer rights;
- maintenance of county public utility and administration buildings and facilities;
- national defense;
- promotion of the county;
- cooperation with nongovernmental organizations (NGOs).

The state administration may also entrust tasks to the county under the act, but the county may not infringe upon the scope of activities of municipalities.

A county is a legal person and may promulgate local law. The prime minister exercises supervision over the activities of the county government, while the regional accounting chamber oversees its financial activities; either may overturn decisions that are against the law.

Counties are differentiated as urban (formally “cities with the rights of districts”), encompassing only the area of one city, and those that encompass a large municipality-city—the county seat—and several urban-rural or rural municipalities. Under the Act on County Self-government, an urban county may be: (1) a city of more than one hundred thousand residents or (2) a city that by 31 December 1998 was a voivodship seat and has fewer than one hundred thousand residents with a suitable infrastructure for public service delivery. In the case of the latter, the granting of

the status of a county is reserved for the Council of Ministers. Such a decision is guided by the interest of the communities formerly belonging to the given voivodship and assurance that separation of the city from the previous voivodship does not limit access of residents of neighboring municipalities to public services that are located in the given city. In some cases the Council of Ministers may deny the right of a city with more than one hundred thousand residents to county status if this limits access of residents of neighboring municipalities to public services. To date, this article has not been employed. Of the cities that previously performed voivodship functions, three have waived the privilege to become separate urban counties, while several medium-sized cities with the requisite public services infrastructure have been granted this status.

2.3 The Status of the Capital City

Warsaw is a special case, largely due to the 1994 Act on the Local Self-government of Warsaw, which abolished the previous organization of the city, consisting of seven boroughs, and introduced eleven municipalities, one of which, Warsaw center, is divided into seven boroughs (boroughs also exist in other large cities in Poland, but their status is different from those in Warsaw). This arrangement led to much confusion concerning the designation of authority. First, as in the rest of the country, local councils are chosen in direct elections. Second, all the municipalities form a mandatory communal union headed by the council of Warsaw, also chosen in direct elections. Third, Warsaw is an urban county; a second county with its seat in Warsaw encompasses the municipalities lying to the west of the city, the council of which is chosen in direct elections. Furthermore, according to the acts of 1994 and 1998, the residents of the Warsaw center municipality choose the councilors of each individual city borough. Given the complicated structure of the capital, it has been predicted that in the near future the Warsaw council will be abolished and the county council will inherit its powers. The reform of the government framework in summer 1998 caused the scope of competencies of the Warsaw council and of the county council to overlap almost completely.

2.4 Legal Basis of the Voivodship

On 1 January 1999 voivodships became the third tier of the local government system. In addition to functions stemming from local government tasks, voivodships have important state administrative responsibilities. In respect to size (number of residents and area) they are the counterparts of regions in the countries of the European Union, and the government and Sejm had precisely this in mind when they demarcated and assigned tasks to voivodships.

According to the Act on Voivodship Self-government of 5 June 1998, the scope of activities of voivodships does not violate the independence of the county and the municipality. Organs of voivodship government are neither supervisory bodies of the county and municipality nor organs of a higher level in administrative proceedings. This distinction was made to dispel the

reservations of opponents to the second phase of local government reform. Provisions concerning elections to the voivodship assembly and referendums are similar to those for municipalities and districts.

The voivodship government drafts the development strategy of the voivodship, particularly concerning the following goals:

- cultivation of Polishness and development of national, civic and cultural consciousness;
- stimulation of economic activity;
- enhancement of competition and innovation in the voivodship economy;
- preservation of the cultural and natural environment;
- structure and preservation of spatial order.

The voivodship government implements the development policy of the voivodship, including: (1) establishment of suitable conditions for economic development, (2) maintenance and expansion of the technical infrastructure, (3) acquisition and use of public and private financial resources, (4) support for the educational aspirations of citizens, (5) regulation of the use of natural resources in accordance with the principles of sustainable development, (6) support for the development of science and (7) promotion of the development possibilities of the voivodship. In order to carry out these tasks, the voivodship government is encouraged to cooperate with the state administration, other voivodships, nongovernmental organizations, scientific-research organizations, higher education institutions, international organizations and regions of other states, especially in neighboring countries.

Tasks delegated to the voivodship include:

- public education, especially higher education;
- health care and promotion;
- culture and protection of cultural monuments;
- social welfare;
- profamily policy;
- modernization of rural areas;
- spatial development;
- environmental protection;
- water management;
- public roads and transportation;
- physical culture and tourism;
- protection of consumer rights;
- national defense;
- public safety;
- addressing unemployment and stimulation of the local labor market.

A voivodship is a legal person and may promulgate local law. The prime minister and voivode supervise the activities of the voivodship government, and the regional accounting chamber oversees its financial activities.

One of the most important responsibilities of the voivodship is international cooperation; acts regulating the functioning of municipalities and districts do not have separate articles devoted to this area. The voivodship assembly is responsible for determining: (1) the main goals of international cooperation, (2) geographic priorities of future cooperation and (3) plans to join international regional associations.

Since the voivodship has both state and local roles in the Polish political system, a separate act was adopted on 5 June 1998 stipulating that state administration is performed in the voivodship by:

- the voivode;
- heads of state administration institutions subordinate to the voivode;
- organs of state administration subordinate to individual departments, such as defense, finance and internal affairs;
- organs of regional government by virtue of agreements with the state administration or by legislation;
- heads of state administrative institutions located at the county level and subordinate to the chair (*starosta*) of the county;
- organs of other local governments by virtue of agreements with the state administration or by legislation.

The most important institution in the voivodship is the voivode, who is appointed by the prime minister upon nomination by the minister of internal affairs and public administration. In December 1998 heated discussion took place whether the voivode ought to be selected from among persons representing a given region (as has been the case from 1990) or from among persons not involved in local voivodship politics.

3. Local Politics, Decision Making

3.1 System of Local Elections

From the municipal elections of May 1990 to 1998 a peculiar feature of local government in Poland is the lack of importance of political parties at the local level. In the elections of 1990 and of 1994 the vast majority of candidates and the councilors elected were independent or represented social organizations or local groupings and had little political experience. This situation was favorable on the one hand, because councilors focused on local problems rather than interparty conflicts, but on the other hand, the independence of councilors sometimes paralyzed the activities of local councils. Unfettered by party affiliation, councilors often created ad hoc coalitions in order, for example, to remove the mayor and other members of the municipal administration. As a result, during the 1990–94 and 1994–98 terms, officer positions repeatedly changed in some municipalities.

After the parliamentary elections of autumn 1997 the main political parties in the country addressed local government electoral system reform. As a result of the concerted efforts of the main political parties, a new election law to the municipal councils, county councils and voivodship assemblies was passed. The distribution of seats won on all three levels of local government as a result of the 1998 elections follows:

- Electoral Action Solidarity (*Akcja Wyborcza Solidarność*)—16.6 percent;
- Alliance of the Democratic Left (*Sojusz Lewicy Demokratycznej*)—13.9 percent;
- Social Alliance (*Przymierze Społeczne*)—7.2 percent;
- Union of Freedom (*Unia Wolności*)—1.8 percent;
- Motherland (*Ojczyzna*)—0.4 percent;
- Polish Family (*Rodzina Polska*)—0.2 percent;
- local coalitions and independents—59.9 percent (a majority of the latter were elected in small rural municipalities).

Solidarity trade unions (worker and farmer unions) and small right-oriented parties organized the social movement Electoral Action Solidarity. The Alliance of the Democratic Left is a coalition of postcommunist parties and organizations. The Social Alliance was established just before the local elections by the Polish Peasant Party and small left-oriented parties (though not post-communists, such as the Union of Labor). Motherland is a coalition of small parties and organizations farther right than the parties organized by the Solidarity trade unions, and Polish Family is an organization with very close ties to groups affiliated with Radio Maryja, a station supported by some Roman Catholic priests, but not by the Polish Roman Catholic Church authorities. The Union of Freedom is the renamed Democratic Union, the party of the former prime ministers Tadeusz Mazowiecki and Hanna Suchocka, chaired by Leszek Balcerowicz.

The main point of the 1998 election law is that elections to local councils in municipalities with fewer than twenty thousand residents are won by majority, but in municipalities with more than twenty thousand residents a proportional system is implemented. During the 1990 and 1994 elections the proportional system, using a five percent threshold, was in effect only in municipalities with more than forty thousand residents. Due to the solution adopted, independent candidates in practice could be elected only in municipalities with fewer than twenty thousand residents in October 1998.

Under the new election law, candidates for councilor can be nominated by (1) voters (in municipalities with fewer than twenty thousand residents, twenty-five signatures are needed to nominate a candidate; in municipalities with over twenty thousand residents, one hundred fifty petitioners are required), (2) social organizations and (3) political parties.

The election law states that the basic territorial unit for local council elections is the constituency, which numbers between five hundred and three thousand residents. Constituencies form electoral districts. One electoral district (ward) is represented by between one and five councilors in municipalities with fewer than twenty thousand residents (in practice, usually one councilor per district) and by five to ten councilors in municipalities with more than twenty thousand residents.

The five-percent proportional system was also introduced in elections to county councils and voivodship assemblies. According to the election law, in counties with fewer than forty thousand residents the council is comprised of twenty councilors. In larger counties, for each additional twenty thousand residents five councilors are added, but the total number of members of the council may not exceed sixty persons. The electoral district—usually, a municipality—is represented by three to ten councilors. Very small municipalities may unite into one electoral district; very large municipalities may be divided into more than one. Two hundred persons must support a candidate to the county council nominated by voters.

According to the election law, in voivodships with fewer than two million residents the council is comprised of forty-five councilors. In larger voivodships five councilors are elected for each additional five hundred thousand residents. Each electoral district is represented by five to fifteen councilors. However, the voivodship assembly may not include more than three to five councilors representing the same county. Independent candidates to the voivodship assembly must have the support of at least three hundred voters.

3.2 Internal Structure of Local Decision Making

The term of office of the municipal council (*rada gminy*) is four years from the day of election. Its executive body is the board (*zarząd gminy*), the membership of which includes the mayor (*wójt* in rural municipalities and small towns, *burmistrz* in medium-sized towns and *prezydent* in cities), his or her deputies and a maximum of five other individuals elected by the council. Mayors and their deputies do not have to be councilors. The council can recall the board during its term.

The municipal council assigns some of its responsibilities to committees, the members of which are chosen from among the councilors. The council defines their internal structure. Each committee prepares resolutions for the council and supervises the execution of its decisions. Sometimes committees include specialists in particular fields who are invited to join as experts.

The council upon recommendation of the mayor appoints the chief administrative officer (*sekretarz gminy*) and other officers. The mayor and chief administrative officer are appointed for an indefinite period. The mayor performs political and administrative functions and represents the municipality in dealings with other local governments and the state administration. Mayors, their deputies and chief administrative officers are responsible for the execution of resolutions and decisions taken by the council and committees. The chief administrative officer is often responsible particularly for local finances and staffing.

A municipal office is divided into departments. The mayor, his or her deputies and the chief administrative officer determine the organization of the office. These persons supervise the various departments.

Decisions of the local council are usually prepared by departments and are forwarded to committees that negotiate draft versions of the final resolutions. In large municipalities, party constituencies also discuss draft versions of each resolution. Afterwards, the council makes a final decision, which then is executed by the mayor or other officials of the municipal administration.

Organs of the county are the council (*rada powiatu*) and the board (*zarząd powiatu*). The term of office of the council is four years beginning on the day of election. The chair, who may appoint one or two deputies, heads the county council, which chooses these persons by an absolute majority of votes by secret ballot. At least half of the members of the council must be present for these elections.

The county board, comprised of four to six persons including one deputy of the council chair, is the executive organ of the county. A chair (*starosta*) heads this body elected by the council from among its members. Members of the county board may not simultaneously hold seats in government organs of municipalities or voivodships, be members of the Sejm or be employed in the state administration.

The organs of the voivodship are the assembly (*sejmik wojewódzki*) and the board. The term of office of the voivodship assembly is four years beginning on the day of election. A chair, who may appoint no more than three deputies, heads the assembly, which chooses these persons by an absolute majority of votes by secret ballot. During these elections, at least half of the members of the assembly must be present.

The voivodship board (*zarząd województwa*) is the executive organ of the voivodship and is comprised of five persons. A chair or speaker (*marszałek*) heads this body. The voivodship assembly elects the chair from among its members. Members of the voivodship board may not simultaneously hold seats in the government organs of municipalities or counties, be members of the Sejm or be employed in the state administration. They also may not be members of the voivodship assembly.

3.3 Public Participation in Decision Making

The Act on Local Self-government of 1990 makes provisions for local referendums on local taxation, the recall of council members or any other issue within the jurisdiction of the municipality. Such referendums may be initiated by the council itself or by a minimum of one-tenth of the voters in the municipality. Voter participation must be no less than thirty percent of the electorate for the result of the referendum to be binding; the same regulations are stipulated at the district and voivodship levels.

The local councils may hold public hearings at which citizens and grass roots movements may express their opinions, ask questions and make proposals on matters of public interest. All

citizens are entitled to challenge a decision taken by councils or administrative officials in the highest administrative court. The cost of all such cases is free of taxation and charges.

3.4 Distribution of Power among Different Levels of Government

In some fields the division of responsibilities among the tiers of local government is not entirely clear. The municipality, county and voivodship share many tasks, though they are mentioned in acts in a different order. This should be interpreted to mean that although some public tasks are common for all tiers of local government, the responsibilities of individual tiers differ not only in scope of activity but also in specific functions. Institutions of a clearly regional scope and supervision of them reside at the county and voivodship levels. This can be demonstrated using the example of educational services. According to the Act on Division of Competence of Powers of 27 July 1998, public primary and grammar schools and preschools are subordinate to the municipality. The county supervises public secondary schools, technical schools, special schools, pedagogical libraries and counseling centers. The voivodship tier handles vocational schools and teacher training.

This is also true of the division of responsibilities between local government and the state administration. Although these matters are regulated by legislation, daily administration in recent years has demonstrated that law has not unequivocally settled some issues. This especially applies to road maintenance, which formally is the responsibility of local governments and various tiers of the state administration at the regional office and voivodship levels. Numerous difficulties were experienced during the flood of 1997 due in large measure to unclear division of power in the public administration.

Specific organs of the state administration that operate at the local level are also problematic in Poland. Some institutions—especially the Ministry of Finance, the Ministry of Justice, the police and the Ministry of Health and Social Welfare—have an expanded network of regional offices, the area of activity of which often overlaps the administrative division of the country. Although some governmental institutions have initiated reform of their organizational structure to compensate for the new conditions, this process will probably take several years.

3.5 Local Government Associations

Both municipalities and counties may establish special interest organizations (communal unions) and join associations. Communal unions are organized mainly for joint service delivery, such as public transportation (as in the Upper Silesia industrial region) and water supply or waste removal (common in rural areas). Associations act as lobbying organizations. They are active especially in culture and tourism. Some, founded in the early 1990s and joining the efforts of many neighboring municipalities, were recognized as counties or voivodships in the administrative reform of 1998.

In addition to local organizations and associations, a number of national institutions have been established, including the Union of Polish Cities (more than two hundred cities are members of the eight hundred that are eligible), Union of Metropolitan Cities (the ten largest cities), Union of Small Towns (one hundred members), Union of Rural Local Governments (more than two hundred municipalities are members of the one thousand five hundred eligible), the Union of Polish Counties (when it was established in December 1998, over one hundred sixty counties joined of the three hundred seventy eligible, and by mid-1999 more than two hundred counties were members) and the Federation of Unions and Associations of Municipalities and Counties (more than twenty organizations).

4. Local Administration, Service Provision²

4.1 Structure and Operation of Local Administration

Since the constitution states that the law-making bodies of local government units determine internal governmental systems, there is no uniform organizational model for the organs of the municipality, county and voivodship tiers. Acts concerning the individual tiers also do not impose organizational structures on the municipality, county or voivodship.

The Act on Self-government Employees of 22 February 1990 regulates employee relations in local government. Although civil service regulations were passed in 1996, they were suspended in 1998 on account of their political nature; one requirement—extensive work experience in public administration—in practice favored officials who started their careers long before 1989 in competitions for higher public posts.

4.2 Local Service Delivery

On the basis of several years of experience, an analysis of the success of municipal local service delivery is possible. However, government at the county and voivodship levels only began operating from 1 January 1999; thus, such analysis is more problematic.

The responsibilities of local governments stem from the acts adopted in 1990 for municipalities and in 1998 for counties and voivodships, which provide that they may own property and engage in entrepreneurial activities. Subsequently, around eight hundred fifty local enterprises became municipal property in 1990–91. Most of them serve only one town or rural municipality, but in some cases they act in several neighboring municipalities. The mayor appoints the chairs of institutions and enterprises controlled by local authorities, and local governments finance the operation and development of these organizations.

In the case of municipalities, the needs of a given local community are satisfied by providing local delivery of a certain service—such as urban transportation or waste removal—or by contracting private businesses for services—most often waste removal and maintenance of public spaces, least often public transportation. The local government, especially in large and medium-sized cities, very often forms companies with private entrepreneurs, usually by making a contribution in kind to the company of land or technical infrastructure built at its own cost. Local authorities also cooperate with private entrepreneurs through public-private partnership, such as loans for the use of land or buildings below market price, loan guarantees, partial exemption from local taxes, tax payment by installment, et cetera.

A survey of enterprises demonstrated that in 1995 the most popular type of enterprise on the municipal level was budgetary institutions (*zakład budżetowy*, “in-house” departments). In that year the share of these enterprises was forty-seven percent of the sample (in 1993 it was forty-three percent). The next popular types were commercial law companies (*spółka prawa handlowego kontrolowana przez gminę*, twenty-eight percent in 1995 and twenty-two percent in 1993) and private companies (*prywatna spółka prawa handlowego*, eleven percent in 1995 and seven percent in 1993). Less popular were civil code companies (*spółka cywilna, osoba fizyczna*, five percent in 1995 and nine percent in 1993) and state enterprises that were not transformed after 1990 (*przedsiębiorstwo państwowe*, nine percent in 1995 and nineteen percent in 1993).

The Act on Communal Economy of 1996 stipulates that local governments—then, municipalities, but now also counties and voivodships—may address their responsibilities by:

- creating budgetary institutions;
- establishing or joining limited liability and joint stock companies (*spółka prawa handlowego kontrolowana przez gminę*);
- conferring responsibilities to other entities on the basis of contracts concluded in keeping with the provisions of the Act on Public Procurement.

Units of local government of all tiers also may conduct economic activities in the sphere of public utility. The county may not conduct activities outside the scope of public utility, but the municipality may do so in the scope provided in the Act on Communal Economy of 1996 in the form of commercial law companies. The voivodship government also may conduct economic activities outside the sphere of public utility through commercial law companies, but only in advertisement, education and publishing for purposes serving the development of the voivodship.

5. Local Finance, Economic Development³

The constitution proclaims that the revenues of units of local government consist of their own revenues plus general subsidies and special purpose grants from the state budget. Local government authorities also have the right to regulate local taxation and other charges in the scope set forth by legislation. In practice, the central government sets the ceiling for taxation at the local level, and municipal and county councils then establish individual rates.

Table 5.1
Municipal Expenditures as a Percentage of GDP and of General Government Expenditures in Poland, 1994–97

Year	GDP [in PLZ millions]	General Government Expenditures [in PLZ millions]	Municipality Expenditures [in PLZ millions]	% of GDP	% of General Government Expenditures
1994	210,407.3 ^a	78,352.2	14,903.9	7.1	19.0
1995	306,318.3	103,840.2	19,828.4	6.5	19.1
1996	385,448.1	128,209.2	31,499.0	8.2	24.6
1997	469,372.1	151,054.3	40,504.3	8.6	26.8

a. Including customs and taxes on imports.

SOURCES: *Statistical Yearbook of the Republic of Poland 1997*, 475, 479, 501; *Statistical Yearbook of the Republic of Poland 1998*, 468, 475, 508.

The Act on Local Self-government of 1990 states that the revenues of the municipality are:

- taxes, charges and other proceeds defined by legislation;
- revenues from the property of the municipality;
- general subsidies from the state budget.

The same act states that revenues also may include (1) budget surpluses from previous years, (2) special purpose grants for carrying out commissioned tasks, (3) proceeds from the local taxation of residents, (4) loans and the issue of bonds and (5) bequests and donations. The Act on Local Government Revenues of 1998—the predecessor of which was the Act on Local Taxes and Fees of 1991—defines the revenues of municipalities more precisely.

Table 5.2
Municipal Revenue Structure in Poland, 1994–97 [%]

Revenues	1994	1995	1996	1997
State Grants (general and specific)	36.5	35.8	39.2	38.3
Shared Revenues	23.1	23.1	24.5	24.2
Independent Revenues	40.3	40.1	34.8	35.2
Credit, Bonds ^a	—	—	—	—
Other	0.1	1.0	1.5	2.3
Total	100.0	100.0	100.0	100.0

a. According to Polish legislation credit and bonds are not part of municipality revenues.

SOURCES: *Statistical Yearbook of the Republic of Poland 1997*, 479; *Statistical Yearbook of the Republic of Poland 1998*, 475.

A very important part of municipal income is shared tax revenues. These have fluctuated in past years, but in 1999 shared revenues from personal income tax provided 27.6 percent of budget resources, and corporate income tax, 5 percent. These revenues are transferred to each local budget according to the economic power of the municipality rather than being calculated per capita.

The budget of the municipality must be approved no later than 31 March of the budget year. If this condition is not met, the regional accounting chamber may determine the municipality's budget. The Budget Law, in force since 1991, stipulates that the local council may authorize the municipal administration to amend the budget, with the exception of transfers of expenditures between sections.

The Act on Municipal Finance of 1993 permits municipalities to operate under a deficit. However, the total value of payments of principal and interest on credits and loans, guarantees granted by the municipality and outlays may not exceed fifteen percent of revenues planned for a given year. Before 1993 the municipality could be indebted up to five percent of planned revenues. Nevertheless, municipalities in Poland rarely avail themselves of credit or issue bonds; those that have tend to be urban municipalities with more than one hundred thousand residents.

According to the Act on County Self-government of 5 June 1998, revenues of the county include:

- shares of taxes collected by the state in the amount set by legislation (in 1999, one percent of personal income tax);
- subsidies from the state budget to support local service delivery;
- special purpose grants from the state budget for assignments carried out by county institutions on behalf of the state administration;
- revenues of county budgetary institutions and proceeds of other county units;
- revenues from the county's property;
- interest for untimely remittance by the state administration of shares, grants and subsidies.

The act also indicates additional sources of revenue, such as special purpose grants for tasks delegated by the voivodship, grants from state special purpose funds, interest on county bank accounts, interest on capital contributed by the county, bequests and donations, et cetera.

According to the Act on Voivodship Self-government of 5 June 1998, the revenues of the voivodship include:

- shares of taxes collected by the state in the amount set by legislation (in 1999, 1.5 percent of personal income tax and 1.0 percent of corporate income tax);
- revenues from the voivodship's property;
- bequests and donations;
- revenues earned by budgetary institutions of the voivodship and payments of other voivodship government units;
- interest for untimely remittance by the state administration of shares, grants and subsidies.

The act indicates additional sources of revenue, such as equalization subsidies from the state budget, special purpose grants for tasks assigned by the state administration and special purpose grants from the budgets of municipalities and districts for tasks that by agreement are carried out by the voivodship.

According to the Act on Bonds of 1995, local governments can also issue their own bonds. Very few municipalities thus far have used this option (between 1995 and autumn 1999, about forty), except large cities in need of funding for the expansion of their technical infrastructures. Unions of municipalities also may issue bonds; regulations introduced in 1998 extend this right to the county and voivodship tiers.

There are two types of credit available to municipalities: commercial credit from the banking system (thirty percent) and preferred credit (noncommercial) from funds, NGOs, et cetera (seventy percent). A survey shows that in 1995 the total amount of commercial credit was PLZ 42,262 thousand; in 1996, PLZ 243,970 thousand; and in 1997, PLZ 442,678 thousand. Other surveys show that twenty-seven percent of commercial credit obtained was used to finance public transportation, twelve percent for roads, and eleven percent for schools. So-called preferred credit, mainly from the national fund for environmental protection and the housing fund, is popular among both urban and rural municipalities, especially to finance water supply, waste disposal, gas pipelines, et cetera.

Since the three-tiered system took effect in Poland on 1 January 1999, only information about the financial situation of the municipalities is available. According to such data, in 1997 the private revenues of municipalities comprised 35.3 percent of all budget revenues (for comparison, in 1991 this figure was 45.5 percent); shares of state taxes, 24.2 percent (in 1991, 28.9 percent); grants from the state budget, 38.3 percent (in 1991, 25.5 percent) and additional funding of the tasks of municipalities from other sources (such as NGOs, PHARE, et cetera), 1.5 percent (in 1991 this form of grant did not exist).

Real estate taxes are the most important source of private revenue, constituting 11.2 percent of aggregate revenues of municipalities in 1997 and nearly one-third of private revenues, followed by proceeds from the sale of municipal property (4.0 percent), stamp duties (3.3 percent) and motor vehicles tax (2.7 percent). The role of the motor vehicles tax increased significantly in comparison to several years ago (1.1 percent in 1991), but in 1998 it was included in the price of petrol and thus is no longer a local government revenue.

Conversely, the share of agricultural and forestry tax in private revenues of municipalities fell from 3.9 percent in 1991 to 2.0 percent in 1997. The diminishing importance of this tax is related to the difficulties that farming is experiencing, and as a consequence many local councils levy the lowest permissible agricultural tax or exempt farmers completely, especially owners of farms with low land productivity. Moreover, the shrinking share of agricultural tax in the revenues of municipalities reflects the growing share of other items producing revenue.

Table 5.3
Distribution of Municipal Expenditures in Poland, 1994–97 [%]

Type of Expenditure	1994	1995	1996	1997
Current Budget	77.4	76.5	77.6	76.3
Capital Expenditures	22.6	23.5	22.4	23.7
Total	100.0	100.0	100.0	100.0

SOURCES: *Statistical Yearbook of the Republic of Poland 1997*, 479; *Statistical Yearbook of the Republic of Poland 1998*, 475.

On the expense side, 76.5 percent of payments in 1997 were current expenditures, 23.8 percent of which were salaries. Investments constituted 23.5 percent of total payments. Municipalities spent the most on education and public utilities, followed by local government administration, social welfare and health care.

Table 5.4
Expenditure Assignment by Municipalities in Poland, 1994–97 [%]

Area	1994	1995	1996	1997
Education	25.5	26.3	37.5	37.6
Health Care	8.7	7.6	6.1	7.2
Social Care	9.9	11.5	9.2	11.0
Sport, Culture	4.6	4.7	3.9	5.0
Administration	10.3	11.3	9.7	11.6
Housing, Municipal Economy	26.7	25.6	22.3	27.3
Other	14.3	13.0	11.3	0.3
Total	100.0	100.0	100.0	100.0

SOURCES: *Statistical Yearbook of the Republic of Poland 1997*, 479; *Statistical Yearbook of the Republic of Poland 1998*, 476.

Primary education is one of the main public service tasks that was transferred to municipal administration under the law of 1 January 1996. Until then this was a state responsibility, although 10.5 percent of the municipalities nationwide took over schools on the state's behalf as early as 1991–92. In subsequent years fewer and fewer municipalities were willing to accept this role due to the failure of the state to provide adequate funds for operation. By the end of 1994 only 24.8 percent of all municipalities in Poland administered primary schools (including 91.1 percent of cities with more than one hundred thousand residents and 42.7 percent of

municipality-cities with fifty to one hundred thousand residents). The fact that the transfer of such administrative responsibilities did not occur simultaneously creates serious methodological problems for the analysis of local budgets before 1996; it is hard to compare the structure of expenditures of a municipality that during this time was responsible for schools with that of a municipality in which schools were financed entirely by the state administration.

All municipalities have large outlays for local government administration, social welfare and health care, but the share of costs for administration in relative terms is much higher in small rural municipalities.

Expenditures for agriculture are largest in rural communities, where water and sewage systems, waste disposal and gas pipes are classified in this sector; housing and transportation are a serious burden for urban municipalities, especially for large agglomerations. Expenses for housing are especially high in cities with developed industrial sectors where until recently nearly all flats belonged to large state enterprises. At the beginning of the 1990s a sizeable portion of industrial enterprise-owned flats were transferred to municipalities as municipal property. Since many of such buildings are in poor condition, their repair and operation result in very high expenditures.

6. Next Steps in the Transition Process

The second stage of local government reform in Poland was not launched until 1998–99; thus, it can be expected that the provisions adopted will require amendment in the near future. The fact that local government at the county and voivodship tiers did not commence until 1 January 1999 makes it impossible to state the direction in which such changes will move. However, on the basis of observation of the processes of recent years, several conclusions can be made concerning future initiatives to decentralize public authority in Poland.

First, Poland lacks regulations on regional policy and planning. In summer 1999 the government prepared a draft version of such a document, which has not yet been discussed by the Sejm.

Second, the act on the government of Warsaw should be amended in the immediate future to abolish some existing tiers of local government. Since conflicts have emerged in other large urban areas, discussion on a law on metropolises or urban complexes was initiated in 1992–93. In addition to Warsaw, the law should cover the Katowice area, the urban complex of Gdańsk-Sopot-Gdynia, the Łódź agglomeration, Wrocław, Cracow and Poznań.

Third, civil service regulations ought to be implemented as soon as possible, which would contribute to the professional stabilization of local government staff and the state administration. Furthermore, it would help to depoliticize personnel employed in the public administration, especially at the middle management level.

Fourth, it is foreseen that some municipalities established in summer 1998 will be too weak economically to cope with the tasks with which they have been entrusted. This will compel the Sejm either to change the provisions defining the operations of municipal governments by increasing their share of taxes collected by the state, or some municipalities will cease to exist. In recent years no municipality in Poland has been abolished, despite the fact that many of them are economically inefficient, barely satisfying residents' basic public service needs. A reduction in the number of cities with the rights of counties is probable, as the municipalities surrounding them are too poor to be able to support a county infrastructure. It is doubtful that there will be a change in the number of voivodships, although some regional communities and political groups might attempt to create new ones. Thus, small adjustments of the administrative map of Poland are quite likely, such as changing the status of a municipality to a county or the status of a county to a voivodship.

Finally, it would be desirable if the state administration would transfer more authority and resources to the local government structures. However, this will not be feasible until the social insurance, education and health care systems in Poland are stabilized and heavy industry—mainly coal mining, iron and steel industries—and agriculture are restructured.

Recent Publications on Local Government in Poland (in English)

Baldersheim, H., M. Illner, A. Offerdal, L. Rose, and P. Swianiewicz, eds. *Local Democracy and the Processes of Transformation in East-Central Europe*. Boulder, Colo.: Westview Press, 1996.

Council of Europe. *Development of Local and Regional Government in Central and Eastern European Countries*. Strasbourg: 1993.

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Gorzalak, G., and B. Jalowiecki, eds. "Regional Question in Europe, Regional and Local Studies." *EUROREG (University of Warsaw)* 10 (1993).

Kukliński, A., and B. Jalowiecki, eds. "Local Development in Europe: Experiences and Prospects." *Regional and Local Studies (Institute of Space Economy, University of Warsaw)* 5 (1990).

Péteri, G., ed. "Events and Changes: The First Steps of Local Transition in East-Central Europe." *Local Democracy & Innovation Project Working Papers (Budapest)* (1991).

Regulski, J. "Building Democracy in Poland: State Reform 1998." *Discussion Papers (Local Government & Public Service Reform Initiative)* 9 (1999).

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Notes

- ¹ One of the governmental reforms was the fusion of the former Ministry of Internal Affairs with the departments responsible for public administration in the prime minister's office.
- ² This section was prepared with help of Pawel Swianiewicz.
- ³ This section was prepared with help of Pawel Swianiewicz.

Annex 5.1

Major General Indicators

Note: Figures for 1997 are from the *Statistical Yearbook of the Republic of Poland 1998*.

Size of territory	312,685 square kilometers
Population density	124 persons per square kilometer
Population	38,660,000 (1997)
Pensioners	
Over 60 (females) and 65 (males)	14.2 percent
Retired	8.8 percent
Handicapped (unable to work)	7.0 percent
School-age children (under 17 years)	26.3 percent
Major ethnic divisions (there are no official statistics on ethnic issues in Poland)	
Germans	1.3 percent
Ukrainians	0.7 percent
Belarusians	0.5 percent
Others	0.2 percent
Per capita GDP (purchasing power parity per capita)	USD 6,663 (1997)
Share of local government (municipal) budgets in	
General government revenues	27.4 percent (1997)
General government expenditures	26.8 percent (1997)
Revenues to GDP	8.5 percent (1996)
Expenditures to GDP	8.7 percent (1996)
GNP (1997)	PLZ 465,668.1 million
GDP	PLZ 469,372.1 million
State budget (1997)	
Domestic debt	PLZ -95,957.7 million
(95.3 percent of state expenditures debt was covered by revenues in 1997)	
Deficit	PLZ -5,902.8 million
Revenues	PLZ 119,772.1 million
Expenditures	PLZ 125,674.9 million

Social insurance fund	PLZ -136.2 million
Deficit	-0.2 percent
Revenues	PLZ 63,698.8 million
Expenditures	PLZ 63,835.0 million
 Pension fund	 PLZ 13.8 million
Surplus	+0.1 percent
Revenues	PLZ 10,069.3 million
Expenditures	PLZ 10,055.5 million
 Labor fund	 PLZ 425.6 million
Surplus	+6.5 percent
Revenue	PLZ 7,010.5 million
Expenditures	PLZ 6,584.9 million
 Unemployment rate (1997)	 10.2 percent
 Inflation rate (price indices of goods and services) (1997)	 14.8 percent

Annex 5.2

Population, Settlements and Administrative Units

Table 5A.1
Settlements by Population Size Categories in Poland, 1 January 1993

Population	Number of Settlements
0–999	39,589
1,000–9,999	2,702
10,000–49,999	314
50,000–199,999	72
200,000–999,999	19
1,000,000+	1
Total	42,697

Table 5A.2
**Municipalities by Population Size Categories
in Poland, 31 December 1996**

Population	Number of Municipalities	%	Number of Inhabitants	%
0–999	—	—	—	—
1,000–1,999	7	0.3	12,234	0.0
2,000–4,999	563	22.7	2,235,165	5.8
5,000–9,999	1,078	43.4	7,656,636	19.8
10,000–49,999	734	29.5	13,722,206	35.5
50,000–99,999	56	2.3	3,750,448	9.6
100,000–999,999	45	1.8	11,262,652	29.1
1,000,000+	—	—	—	—
Total	2,483	100.0	38,639,341	100.0

Average population of municipality (1996)	15,561
Number of local governments at each level	
Before 31 December 1998	
Voivodships (state administration)	49
Municipalities	2,483
Districts of state administration (<i>rejon</i>)	268
After 1 January 1999	
Voivodships	16
Counties (<i>powiat</i>)	373
Municipalities	2,483
Number of civil servants (1997)	
Employed by the state, including	157,498
Central administration	113,674 (72.2 percent)
Middle-tier administration, including	43,824 (27.8 percent)
Voivodship administration	15,579 (9.9 percent)
District (<i>rejon</i>) administration	9,932 (6.3 percent)
Others	18,313 (11.6 percent)
Employed by local government	112,816
Total number of civil servants	270,314 (41.7 percent employed by municipalities)
Number of public employees (1997)	
Number of employees in national economy	16,294.5 thousand
Number of public employees, including	5,072.8 thousand (31.1 percent of total employment in national economy)
Central state	3,551.1 thousand (70.0 percent of public employees)
Local government	1,283.5 thousand (25.3 percent of public employees)
Number of employees in shadow economy	870 thousand (1997 estimate)

Figure 5A.1
Administrative Map of Poland



Administrative division of Poland (after 1 January 1999)

Voivodships (*województwa*)

1. *województwo dolnośląskie* (capital: Wrocław)
2. *województwo kujawsko-pomorskie* (capital: Bydgoszcz – *wojewoda* office, Toruń – *marszałek* office)
3. *województwo lubelskie* (capital: Lublin)
4. *województwo lubuskie* (capital: Gorzów Wielkopolski – *wojewoda* office, Zielona Góra – *marszałek* office)
5. *województwo łódzkie* (capital: Łódź)
6. *województwo małopolskie* (capital: Kraków)

7. *województwo mazowieckie* (capital: Warszawa)
8. *województwo opolskie* (capital: Opole)
9. *województwo podkarpackie* (capital: Rzeszów)
10. *województwo podlaskie* (capital: Białystok)
11. *województwo pomorskie* (capital: Gdańsk)
12. *województwo śląskie* (capital: Katowice)
13. *województwo świętokrzyskie* (capital: Kielce)
14. *województwo warmińsko-mazurskie* (capital: Olsztyn)
15. *województwo wielkopolskie* (capital: Poznań)
16. *województwo zachodniopomorskie* (capital: Szczecin)

Annex 5.3

Major Laws on Public Administration and Local Government

The following laws regulate public administration and local government in Poland (presented in order of adoption; date of adoption is given in brackets):

- Act on Local Self-government (1990)
- Act on Self-government Employees (1990)
- Act on Local Taxes and Fees (1991)
- Act on the Local Self-government of Warsaw (1994)
- Act on Public Procurement (1994)
- Act on Bonds (1995)
- Act on County Self-government (1998)
- Act on Voivodship Self-government (1998)
- Act on Division of Competence of Powers (1998)
- Act on the Communal Economy (1996)
- Civil Service Act (1998)
- Act on Public Finance (1998)
- Act on Local Government Revenues (1998)

Annex 5.4

Responsibilities of Administrative Tiers

Table 5A.3
Specific Functions of Local Government Tiers in Poland after 1 January 1999

Functions	Municipalities (<i>gmina</i>)	Counties (<i>powiat</i>)	Voivodships (<i>województwo</i>)	Other (e.g., central government)	Remarks
I. EDUCATION					
1. Preschool	X				
2. Primary	X				
3. Secondary	X	X			
4. Technical		X			
5. University			X*	X	*vocational universities
II. SOCIAL WELFARE					
1. Nurseries	X				
2. Kindergartens	X				
3. Welfare Homes		X	X		
4. Personal Services for the Elderly and Handicapped	X	X			
5. Special Services (for the homeless, families in crisis, etc.)	X	X			
6. Social Housing	X				
7. Unemployment		X	X		

Table 5A.3 (continued)
Specific Functions of Local Government Tiers in Poland after 1 January 1999

Functions	Municipalities (<i>gmina</i>)	Counties (<i>powiat</i>)	Voivodships (<i>województwo</i>)	Other (e.g., central government)	Remarks
III. HEALTH SERVICES					
1. Primary Health Care	X				
2. Health Protection	X	X	X		
3. Hospitals		X	X	X*	*special hospitals, university hospitals, medical research centers
4. Public Health	X	X	X		
5. Drug Addicts			X		
IV. CULTURE, LEISURE, SPORTS					
1. Theaters	X	X	X	X*	*e.g., National Theater
2. Museums	X	X	X	X*	*e.g., National Museum
3. Libraries	X	X	X	X*	*e.g., National Library
4. Parks	X				
5. Sports, Leisure	X	X	X		
6. Maintaining Buildings for Cultural Events	X				
7. Heritage Conservation	X	X	X		
V. PUBLIC UTILITIES					
1. Water Supply	X				
2. Sewage	X				
3. Electricity	X				
4. Gas	X				
5. Central Heating	X				
6. Telephone	X				

Table 5A.3 (continued)

Specific Functions of Local Government Tiers in Poland after 1 January 1999

Functions	Municipalities (<i>gmina</i>)	Counties (<i>powiat</i>)	Voivodships (<i>województwo</i>)	Other (e.g., central government)	Remarks
VI. ENVIRONMENT, PUBLIC SANITATION					
1. Refuse Collection	X				
2. Refuse Disposal	X				
3. Street Cleaning	X				
4. Cemeteries	X				
5. Environmental Protection	X	X	X	X*	*e.g., national parks
6. Natural/ Technological Hazards			X		
VII. TRAFFIC, TRANSPORT					
1. Roads	X	X	X	X*	*e.g., international highways
2. Public Lighting	X				
3. Public Transport	X				
4. Railways				X	
VIII. URBAN DEVELOPMENT					
1. Town Planning	X				
2. Regional/Spatial Planning		X	X		
3. Local Economic Development	X				
4. Tourism	X		X		
5. Surveying		X			

Table 5A.3 (continued)
Specific Functions of Local Government Tiers in Poland after 1 January 1999

Functions	Municipalities (<i>gmina</i>)	Counties (<i>powiat</i>)	Voivodships (<i>województwo</i>)	Other (e.g., central government)	Remarks
IX. GENERAL ADMINISTRATION					
1. Authoritative Functions (licenses, etc.)	X	X	X		
2. Other State Administrative Functions (electoral register, etc.)	X	X	X		
3. Local Police	X	X*	X*	X*	*state police
4. Fire Brigades		X	X	X	
5. Civil Defense	X	X	X	X	
6. Consumer Protection		X	X		

