

Annex No. 2

Constitution of the Republic of Poland of April 2, 1997

Art.63.

Everyone has the right to submit petitions, applications and complaints in the public interest, on behalf of his own or by a consent on behalf of another person to the public authorities and to social organizations and institutions in connection with their tasks in the field of public administration. The procedure for the consideration of petitions, applications and complaints is specified in the separate Act.

The Act of June 14, 1960 - Code of Administrative Proceedings

Art. 2 The Code of Administrative Proceedings in addition regulates the procedure for complaints and applications before state authorities, local government bodies and before entities of social organisations.

Section VIII. Complaints and applications.

Chapter 1. General provisions.

Art. 221

§ 1. Guaranteed by the Constitution to each citizen of the Republic of Poland right to submit complaints and applications to state authorities, bodies of local government units, self-government authorities of organisational units and to social organisations and institutions is implemented under the terms specified in this section.

§ 2. Complaints and applications can be submitted to social organisations and institutions in connection with their tasks in the field of public administration.

§ 3. Complaints and applications can be submitted in the public interest, on behalf of his own or by a consent on behalf of another person.

Art. 224

Whenever the provisions of this section refer to state authorities - it also means the bodies of state enterprises and other state organisational units.

Art. 227

A subject of the complaint may be negligence or improper performance of tasks by competent authorities or their employees, violation of the rule of law or interests of the applicants, as well as protracted or bureaucratic handling of matters.

Art. 229

If the specific provisions do not specify other authorities competent to deal with complaints, the competent bodies to consider a complaint regarding tasks or activities are:

1) for municipal councils, poviats councils and regional councils – the voivode, and in the field of financial matters - regional clearing chamber;

- 2) for executive authority of local government units and managers of poviat services, inspections, guards and other organisational units in matters falling within the commissioned tasks in the field of government administration – the voivode or higher-level body;
- 3) for mayor (for mayor or president of the city) and heads of communal organizational units, except for matters specified in item 2 - the municipality council;
- 4) for poviat management and starosta, as well as managers of poviat services, inspections, guards and other organisational units, except for matters specified in item 2 – the poviat council;
- 5) for management and marshal of the voivodship, except for matters specified in item 2 - the regional council;
- 6) for voivode in matters subject to consideration under the Code - a competent minister, and in other matters - the Prime Minister;
- 7) for another government administration authority, a state enterprise body or other state organisational authority - a higher-level or having direct supervision body;
- 8) for minister - the Prime Minister;
- 9) for consul - the minister competent for foreign affairs;
- 10) for central authority and its manager - the authority to which it is subject.