

Poland - Constitution 1992



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[Preamble]

For the purpose of improving the activity of the supreme authorities of the State, pending the passing of a new Constitution of the Republic of Poland, it is enacted as follows: **Key**

Chapter I General Principles

Article 1

The State organs of legislative power shall be the House of Representatives and the Senate of the Republic of Poland, executive power shall be the President of the Republic of Poland and the Council of Ministers, and judicial power shall be independent courts.

Article 2

(1) Deputies and Senators, persons who are members of the Council of Ministers, as well as other persons who hold offices or perform public functions on behalf of the State, as specified in the Constitutional Act, are forbidden to engage in any activity inconsistent with exercising a mandate, office or function within the scope and under penalties determined by law.

(2) Persons mentioned in Paragraph 1 shall provide at the beginning and at the end of their term of office, or before entering into and after leaving office, a statement concerning their financial situation.

Chapter II The House of Representatives and the Senate

Article 3

(1) The House of Representatives **Key** shall be composed of 460 Deputies **Key** chosen by secret ballot in general, equal, direct, and proportional elections.

(2) The Senate shall be composed of 100 Senators chosen by administrative region for the term of the House of Representatives, by secret ballot, in free, general and direct elections.

Article 4

(1) The term of the House of Representatives shall be 4 years beginning with the date of its election.

(2) The President of the Republic of Poland shall order the elections to the House of Representatives and the Senate to be held on a day which is not a day of work and which shall be within the month prior to expiry of the current term of office.

(3) The House of Representatives may be dissolved by its own resolution carried by a two-thirds majority vote of the number of Deputies required by law.

(4) In cases specified by this Act, the President may, after consultation with the Marshal of the House of Representatives and the Marshal of the Senate, dissolve the House of Representatives.

(5) The term of office of the House of Representatives and the Senate shall expire on the day of proclamation of such resolution of the House of Representatives, or of the order of the President on a dissolution of the House of Representatives.

(6) In the event of dissolution of the House of Representatives by the President, or by virtue of a resolution of the House of Representatives, the President shall order the elections on a day which is not a day of work and which shall be no sooner than 3 months and no later than 4 months after expiry of the term of office of the House of Representatives.

Article 5

The validity of elections or any complaint laid against the validity of the election of a Deputy shall be

adjudicated upon by the Supreme Court.

Article 6

A Deputy shall be a representative of the whole Nation. He shall not be bound by any instruction of the electorate nor shall he be subject to recall.

Article 7

(1) A Deputy shall not be held accountable for his activities resulting from the exercise of his mandate within the period of such mandate or after its expiry, unless he has violated the personal rights of other persons.

(2) A Deputy shall be neither criminally liable, nor arrested nor detained without the authorization of the House of Representatives given by a two-thirds majority vote in the presence of at least half of the total number of Deputies.

Article 8

The office of a Deputy shall not be held jointly with the office of a Senator, nor with any of the following offices: a judge of the Constitutional Tribunal, a judge of the Tribunal of State, the President of the National Bank of Poland, the Commissioner of Citizens' Rights, the President of the Supreme Chamber of Control, an ambassador, or a regional administrator.

Article 9

(1) The House of Representatives shall conduct debates during sittings.

(2) The first sitting of the newly elected House of Representatives shall be summoned by the President within 30 days following its election.

Article 10

(1) The House of Representatives shall elect from amongst its members a Marshal, Deputy Marshals and members of Committees.

(2) The Marshal and Deputy Marshals shall constitute the Presidium of the House of Representatives. The Presidium shall summon sittings of the House of Representatives and shall supervise its activities.

(3) The term of office of the Marshal and Deputy Marshals of the House of Representatives shall expire upon the inaugural sitting of the House of Representatives elected to a new term of office.

Article 11

The House of Representatives may appoint a Committee in order to examine a particular matter, which shall, under the procedure specified in the Code of Criminal Procedure, have the right to conduct examinations of persons summoned by it.

Article 12

(1) The debates of the House of Representatives shall be open to the public. The House of Representatives may resolve by an absolute majority vote upon the holding of a debate in secret should this be required in the interests of the State.

(2) The Prime Minister, members of the Council of Ministers, as well as Ministers of State may address a sitting of the House of Representatives regardless of the order of speakers during the session, at any time they wish to do so.


Article 13

The House of Representatives shall pass statutes by majority vote, requiring the presence of at least half of the total number of Deputies, unless constitutional statutes provide otherwise. The same procedure shall be applied by the House of Representatives in the adoption of other resolutions, unless the provisions of statutes and resolutions of the House of Representatives provide otherwise.

Article 14

The detailed organization and procedure of the work of the House of Representatives shall be defined by Rules of Procedure adopted by the House of Representatives.

Article 15

(1) The right to introduce legislation  shall belong to Deputies, to the Senate, to the President, and to the Council of Ministers.

(2) The Council of Ministers, upon introducing a bill, shall indicate the financial consequences of the bill and shall enclose drafts of basic acts designed to effect its implementation.

(3) The right to propose amendments to bills during their consideration by the House of Representatives shall belong to the person who has introduced the bill, to Deputies, and to the Council of Ministers. The Marshal of the House of Representatives, by his own initiative or upon a motion of the Council of Ministers,

may refuse to order a vote upon an amendment which has not previously been referred to the relevant Committee.

(4) The person who has introduced a bill may, during the course of its consideration, withdraw it at any time prior to the conclusion of the first reading of the bill. In the event of withdrawal of a bill, the House of Representatives shall decide on further procedure with respect to it.

Article 16

(1) The Council of Ministers may, in well-founded instances, declare a bill introduced by itself as urgent.

(2) The Rules of Procedure of the House of Representatives shall define the modifications in the legislative procedure when a bill is declared urgent.

(3) The Marshal of the House of Representatives shall refuse to order a vote upon an amendment related to an urgent bill, which has not been previously referred to the relevant Committee.

(4) The periods, concerning the procedure applicable to an urgent bill, specified in Article 17 (2) and 18 (2), shall be reduced to 7 days.

Article 17

(1) A statute adopted by the House of Representatives shall be submitted to the Senate by the Marshal of the House of Representatives.

(2) The Senate may, within 30 days, adopt a statute, introduce amendments to its text or reject it. If, within the period of 30 days following the submission of the statute, the Senate fails to adopt an appropriate resolution, the statute shall be considered passed.

(3) Any amendments by the Senate, imposing a burden upon the State Budget, shall be required to indicate a source of finance therefore.

(4) A resolution of the Senate rejecting a statute, or an amendment proposed by a resolution of the Senate, shall be considered accepted unless the House of Representatives rejects it by an absolute majority vote.

Article 18

(1) A statute adopted by the House of Representatives and the Senate shall be submitted by the Marshal of the House of Representatives to the President for signature

(2) The President shall sign a statute within 30 days following its submission and shall order its promulgation in the Journal of Laws of the Republic of Poland.

(3) The President may refuse to sign a statute and refer it to the House of Representatives for its reconsideration, giving reasons therefor. If the said statute is repassed by the House of Representatives, by a two-thirds majority vote, the President shall, within 7 days, sign the statute and shall order its promulgation in the Journal of Laws of the Republic of Poland, unless he refers it to the Constitutional Tribunal according to Paragraph 4.

(4) The President may, before signing a statute, refer it to the Constitutional Tribunal for an adjudication upon its conformity to the Constitution. The reference by the President to the Constitutional Tribunal shall suspend the time allowed for signing a statute. The President cannot refuse to sign a statute which has been judged, by the Constitutional Tribunal, as conforming to the Constitution.

Article 19

(1) A referendum may be held in cases of particular interest to the State.


(2) The right to order a referendum shall belong to:

1. the House of Representatives, by its own resolution, carried by an absolute majority vote, or,
2. the President, with the consent of the Senate, passed by an absolute majority vote.

(3) The result of a referendum shall be binding when more than a half of the total number of persons eligible to vote have taken part in it.

(4) The principles and methods of holding a referendum shall be established by statute.

Article 20

The revenues and expenditures of the State for a calendar year shall be specified in the budget . In particular cases, the revenues and expenditures for a period shorter than a year may be specified in an interim budget.

Article 21

(1) The Council of Ministers shall be obliged to submit to the House of Representatives a draft Budget in sufficient time to allow for its adoption before the beginning of a fiscal year, and, in particular cases, before the end of the first quarter of a year. The said time period and the requirements for a draft budget shall be established by statute.

(2) Within a period of 20 days following the submission of the Budget passed by the House of Representatives, the Senate may resolve upon adopting it or introducing amendments thereto.

(3) The Council of Ministers shall, in the event of a failure to pass a Budget or an interim Budget, conduct its finances pursuant to the draft Budget.

(4) If the Budget has not been passed within a period of three months following the submission of a draft fulfilling the requirements of budgetary law, the President may dissolve the House of Representatives.

Article 22

(1) The Council of Ministers shall be obliged to submit to the House of Representatives a report upon the implementation of the Budget and reports on the implementation of other financial plans of the State adopted by the House of Representatives within a period of 6 months following the end of a fiscal year.

(2) The House of Representatives shall perform an assessment of the implementation of the Budget and other financial plans of the State within a period of 2 months following the receipt of the report and shall resolve upon the granting of approval to the Council of Ministers, after receiving the opinion of the Supreme Chamber of Control, presented by its President.

(3) In the event of such approval not being given, the Council of Ministers shall resign.

Article 23

(1) Upon application by the Council of Ministers, with reasons given, the House of Representatives may by statute, affirmed by an absolute majority vote, authorize the Council to issue regulations which shall have the force of statute.

(2) The statute authorizing the Council of Ministers to issue regulations having the force of statute shall specify the subject of such regulations and the time period during which the authorization shall be in force.

(3) Whilst the statute granting authorization to the Council of Ministers to issue regulations which have the force of statute is in effect, the right to introduce statutes within the scope mentioned in Paragraph 2 shall belong exclusively to the Council of Ministers.

(4) The statute shall not authorize the Council of Ministers to issue regulations which have the force of statute concerning: changes to the Constitution, election of a President, election of the House of Representatives, the Senate and local self-government organs, the State Budget, personal freedoms and rights of citizens, their political freedoms and rights, as well as rights and duties resulting from employment contracts and social security insurance, and also any consent to the ratification of international agreements mentioned in Article 33 (2).

(5) The President shall sign a regulation which has the force of statute, submitted to him by the Council of Ministers, and shall order its promulgation in the Journal of Laws of the Republic of Poland.

(6) The President may, before signing such regulation having the force of statute, refer it to the Constitutional Tribunal for an adjudication upon its conformity to the Constitution.

(7) The President may refuse to sign a regulation which has the force of statute and shall return it to the Council of Ministers within a period of 14 days. A regulation which has the force of statute, returned by the President, may be introduced to the House of Representatives by the Council of Ministers, in the form of a bill.

Article 24

(1) The House of Representatives may declare a state of war only upon a military attack launched against the Republic of Poland, or in the event that an international agreement imposes an obligation of joint defence against an act of aggression. In cases when the House of Representatives is not in session, a state of war may be declared by the President.

(2) The terms, legal effects and the mode of implementation of such a declaration of a state of war shall be established by statute.

Article 25

(1) A Deputy may address an interpellation or a question to the Prime Minister or to an individual member of the Council of Ministers.

(2) An interpellation shall be submitted in writing and shall be answered within a period of 21 days. If the interpellator is not satisfied with the response, he may move to the Marshal of the House of Representatives for an additional answer and may request that it be given at a sitting of the House of Representatives.

(3) Questions shall be submitted orally, during each sitting of the House of Representatives, to be answered immediately.

(4) Detailed principles of submitting interpellations and questions, and the method of answering them shall be defined by Rules of Procedure of the House of Representatives.

Article 26

Articles pl00000_.html#A005_5-10 and 12-14 shall apply, respectively, to the Senate and Senators.

Article 27

In cases specified in the Constitutional Act, the House of Representatives and the Senate sitting jointly,

presided over by the Marshal of House of Representatives, shall constitute the National Assembly.

Chapter III The President

Article 28

(1) The President ^(Key) of the Republic of Poland shall be the supreme representative of the Polish State in internal and international relations.

(2) The President shall ensure observance of the Constitution, safeguard the sovereignty and security of the State, the inviolability and integrity of its territory, as well as upholding international treaties.

Article 29

(1) The President shall be elected by the Nation.

(2) The President shall be elected, by secret ballot, in general, equal and direct elections by an absolute majority of valid votes.

(3) If no candidate has gained an absolute majority, a second ballot shall be held on the fourteenth day following the first ballot. The two candidates who have gained, sequentially, the largest number of votes in the first ballot, and have not withdrawn their candidature, shall take part in the second ballot. The person who gains the largest number of valid votes shall be considered elected.

(4) The President shall be elected for a term of five years, and may be re-elected President only for one more term.

(5) Only a person who is a citizen of the Republic of Poland, holding a full electoral franchise and who has attained the age of 35 years, may be elected President.

(6) The term of office of the President shall commence on the date of his inauguration.

(7) The election of the President shall be ordered by the Marshal of the House of Representatives no sooner than 4 months and no later than 3 months before the expiry of the term of office of the serving President, or within 14 days after the office comes vacant, specifying the date of the election which shall be on a day no later than 2 months following the day of his order. The election shall be held on a day which is not a day of work.

Article 30

(1) The President shall succeed to office upon making the following oath in the presence of the National Assembly:

'Assuming, by the will of the Nation, the office of the President of the Republic of Poland, I do solemnly swear to be faithful to the provisions of the Constitution; I pledge that I will steadfastly guard the dignity of the Nation, the independence and security of the State, and also that the good of the Homeland and the prosperity of its citizens shall forever remain my supreme obligation.'

The oath may be also made with the additional words

'So help me, God.'

(2) Accession to office by a President elected before expiry of the term of the outgoing President shall follow on the next day after expiry of the serving President's term.

Article 31

The President shall hold no other office and shall be neither a Deputy nor a Senator.

Article 32

(1) The President shall exercise general supervision in the field of international relations.

(2) The President shall appoint and recall the plenipotentiary representatives of the Republic of Poland to foreign countries and shall receive the Letters of Credence and recall of foreign diplomatic representatives accredited to him.

(3) Relations with foreign states, as well as with Polish diplomatic representatives abroad, shall be maintained through the appropriate minister dealing with foreign affairs.

Article 33

(1) The President shall ratify and denounce international treaties, and shall notify the House of Representatives and the Senate thereof.

(2) Ratification and denunciation of international treaties relating to the borders of the State, to defensive alliances and to treaties which would burden the State with financial liabilities, or which would involve changes in legislation, shall require authorization by statute.

Article 34

The President shall exercise general supervision with respect to the external and internal security of the State. The advisory organ to the President in connection with such matters shall be the National Security

Council.

Article 35

- (1) The President shall be the Supreme Commander of the Armed Forces^{Key} of the Republic of Poland.
- (2) The President, in agreement with the Minister of National Defence, shall appoint and dismiss the Chief of the General Staff of the Polish Army, and, on the motion of the Minister of National Defence, shall appoint and dismiss deputy chiefs of the General Staff, commanders of branches of the Armed Forces and commanders of military districts.
- (3) The President shall appoint a Commander-in-Chief for the period of war and may dismiss him.

Article 36

- (1) In the event of State security being endangered by external forces, the President may introduce martial law in a part of or upon the whole territory of the Republic of Poland, and may also declare a partial or general mobilization.
- (2) The organization of the authorities of the State during a period of martial law, and other legal consequences of such declaration of martial law, shall be established by statute.

Article 37

- (1) The President may, for a definite period of time but not longer than 3 months, introduce a state of emergency in a part of or upon the whole territory of the State in the event of threats to its internal security or following upon natural calamity. This period may be extended only once by not longer than another 3 months with the consent of the House of Representatives.
- (2) Whilst a state of emergency exists, the House of Representatives shall not be dissolved, and its term of office shall not expire before 3 months following the date of termination of that state of emergency.
- (3) Neither the Constitution nor the electoral laws shall be changed during the period of a state of emergency.
- (4) The detailed terms, legal effects and the mode of implementation of a state of emergency shall be established by statute.

Article 38

- (1) The Prime Minister shall inform the President about fundamental matters concerning the activity of the Council of Ministers.
- (2) On matters of particular importance to the State, the President may summon sittings of the Council of Ministers and preside over them.

Article 39

The President may deliver a Message to the House of Representatives or to the Senate. Such Message shall not be a subject of debate.

Article 40

The President shall propose to the House of Representatives the appointment and recall of the President of the National Bank of Poland.

Article 41

The President shall grant and revoke Polish citizenship.

Article 42

The President shall appoint judges upon a motion of the National Council of the Judiciary.

Article 43

The President shall have the power of pardon.

Article 44

The President shall confer orders and decorations.

Article 45

- (1) In order to implement statutes and upon the basis of powers specified therein, the President shall issue regulations and executive orders.
- (2) The President shall issue executive orders within the scope of his statutory powers.

Article 46

Legal acts issued by the President, in order to be valid, shall be countersigned by the Prime Minister or by the appropriate minister who submitted the matter to the President.

Article 47

The provisions of Article 46 shall not apply to:

1. summoning of the first sitting of the newly elected House of Representatives and Senate;
2. dissolution of the House of Representatives;
3. proclamation of the election to the House of Representatives and to the Senate;
4. introduction of legislation;
5. signing and refusing to sign a statute or a regulation which has the force of statute;
6. making application to the Constitutional Tribunal for adjudication upon the conformity of a statute, or of a regulation which has the force of statute, to the Constitution;
7. nomination of the Prime Minister and appointment of the whole Council of Ministers;
8. accepting resignation of the Council of Ministers and obliging that body to continue with its duties;
9. summoning sittings of the Council of Ministers;
10. a preliminary motion to bring a person to constitutional accountability before the Tribunal of State;
11. submitting motions that an investigation be made by the Supreme Chamber of Control;
12. appointment and recall of the President of the Chief Administrative Court and of presidents of the Supreme Court;
13. the powers of the President, mentioned in Article 19 (2.2), 39-44, and 48.

Article 48

(1) The President may appoint Ministers of State to represent him in matters related to the exercise of his powers.

(2) The executive office of the President shall be the President's Chancellery. The rules and regulations of the Chancellery shall be formulated by the President who shall also appoint and dismiss its Chief Officer.

Article 49

(1) The office of the President shall become vacant before the term expires:

1. upon his death;
2. upon his resignation from office;
3. upon the declaration by the National Assembly of his permanent incapacity to exercise the duties of President due to the state of his health. Such decision shall be taken by at least a two-thirds majority vote requiring the presence of at least half of the total number of members of the National Assembly;
4. upon his recall from office following a decision of the Tribunal of State.

(2) In the event of a vacancy in the office of President, then, until accession to the office by a new President, and also in the case of the President's temporary incapacity to exercise his duties, the Marshal of the House of Representatives shall act as President and, if he is not able to exercise this function, the Marshal of the Senate.

(3) A person acting as President shall not dissolve the House of Representatives.


Article 50

(1) The President may be held accountable for an infringement of the Constitution and the laws, as well as for committing an offence, only by indictment before the Tribunal of State.

(2) An indictment may be brought against the President upon the resolution of the National Assembly carried by at least a two-thirds majority vote of the total number of its members, on the motion of at least one-quarter of the total number of its members.

(3) The President, upon being indicted, shall be suspended from executing all functions of his office. Article 49 (2) and (3) shall apply, accordingly.

Chapter IV The Council of Ministers (Government)**Article 51**

(1) The Council of Ministers  shall conduct the internal affairs and the foreign policy of the Republic of Poland.

(2) The Council of Ministers shall manage the entire governmental administration.

Article 52

(1) The Council of Ministers shall make decisions in all matters relating to the policy of the State, which have not been reserved by this Constitutional Act or other statute to the President or to another organ of State administration or self-government.

(2) The Council of Ministers, in particular:

1. shall ensure the implementation of statutes;
2. shall issue regulations which have the force of statutes, satisfying the requirements specified in Article 23;

3. shall direct, coordinate and control the work of all other organs of State administration, being responsible for their activity to the House of Representatives;
4. shall protect, pursuant to statutes, the interests of the State Treasury;
5. shall prepare the draft Budget and drafts of other financial plans of the State, and supervise their implementation, following their approval by the House of Representatives;
6. shall supervise local self-government and other forms of self-government within the limits and by means specified in the Constitutional Act and other statutes;
7. shall maintain the relations and shall conclude treaties with the governments of foreign states and with international organizations;
8. shall ensure the external and internal security of the State.

Article 53

(1) The Council of Ministers (the Government) shall be composed of:

1. the Prime Minister as its chairman;
2. Deputy Prime Ministers;
3. Ministers;
4. Chairmen of Commissions and Committees specified by law, who exercise functions of the main organs of State administration, appointed pursuant to the provisions of Articles 57-62.

(2) In the event that a Deputy Prime Minister has not been appointed, his duties may be exercised by another minister.

(3) The Council of Ministers shall act collectively. The organization and procedure of its work shall be established by statute.

Article 54

(1) For the purpose of implementing statutes, and pursuant to authorization provided thereunder, the Council of Ministers shall issue regulations.

(2) The Council of Ministers shall pass resolutions within the scope of its constitutional powers.

Article 55

(1) The Prime Minister shall direct the work of the Council of Ministers, and he shall coordinate and control the work of individual Ministers.

(2) The Prime Minister shall be the chief officer of all employees of the governmental administration.

(3) For the purpose of implementing statutes, and pursuant to authorization provided thereunder, the Prime Minister shall issue regulations.

Article 56

(1) A Minister shall direct an appropriate branch of State administration. The scope of activity of a Minister shall be established by statute.

(2) A Minister shall direct an appropriate branch of State administration with the assistance of secretaries of state and undersecretaries of state, appointed by the Prime Minister on the motion of a Minister.

(3) For the purpose of implementing statutes, and pursuant to authorization provided thereunder, a Minister shall issue regulations and executive orders.

(4) The Council of Ministers may, on the motion of the Prime Minister, annul a regulation or an executive order issued by a Minister.

Article 57

(1) The President shall nominate the Prime Minister, and on his motion the President shall appoint the Council of Ministers according to the composition proposed by the Prime Minister, within a period of 14 days following the first sitting of the House of Representatives or the acceptance of the resignation of the Council of Ministers. The appointment of the Prime Minister by the President shall be in conjunction with the appointment of the Council of Ministers.

(2) The Prime Minister shall, within a period not longer than 14 days following appointment by the President, submit to the House of Representatives a program of activity of the Council of Ministers together with a motion requiring a vote of confidence. The House of Representatives shall pass a vote of confidence by an absolute majority vote.

Article 58

In the event that a Council of Ministers has not been appointed pursuant to the provisions of Article 57, the House of Representatives shall choose the Prime Minister and a Council of Ministers composed as indicated by him, by an absolute majority vote within a period of 21 days. The President shall appoint a Government chosen by such means and accept its oath of office.

Article 59

In the event that the Council of Ministers has not been appointed pursuant to the provisions of Article 58,

the President shall appoint the Prime Minister, and on the motion of the Prime Minister, shall appoint a Council of Ministers pursuant to the provisions of Article 57, provided that the House of Representatives has passed a vote of confidence by majority vote.

Article 60

In the event that a Council of Ministers has not been appointed pursuant to the provisions of Article 59, the House of Representatives shall choose Prime Minister and a Council of Ministers composed as indicated by him, by majority vote within a period of 21 days. The President shall appoint a Government chosen by such means and accept its oath of office.

Article 61

The Prime Minister shall lay a motion to appoint the Ministers of Foreign Affairs, of National Defence and of Internal Affairs after consultation with the President.

Article 62

In the event that a Council of Ministers has not been appointed pursuant to the provisions of Article 60, the President shall dissolve the House of Representatives or, within a period of 14 days, shall appoint the Prime Minister and the Council of Ministers for a period of not longer than 6 months. In the event that the House of Representatives has not passed a vote of confidence in this Government before the expiry of this period nor has passed a vote of no confidence pursuant to the provisions of Article 66 (4), the President shall dissolve the House of Representatives.

Article 63

The Prime Minister and Ministers shall, in the presence of the President, make the following oath:
'Assuming this office of Prime Minister (Minister) I do solemnly swear to be faithful to the provisions of the Constitution, and that the good of the Homeland and the prosperity of its citizens shall forever remain my supreme obligation.'

The oath may be also made with the additional words

'So help me, God.'

Article 64

The Prime Minister shall submit the resignation of the Government to the President in the following cases:

1. the convocation of the newly elected House of Representatives;
2. the resignation of the Council of Ministers or of the Prime Minister from office;
3. a vote of confidence has not been granted to the Council of Ministers by the House of Representatives;
4. a vote of no confidence has been passed by the House of Representatives.

Article 65

(1) In the event that a Prime Minister has submitted the resignation of the Government for reasons specified in Article 64, Subparagraphs 1-3, the President shall accept the resignation.

(2) The President, upon accepting a resignation of the Government, shall oblige it to continue with its duties until a new Council of Ministers is appointed.

Article 66

(1) The House of Representatives may resolve, by an absolute majority, upon a vote of no confidence in the Council of Ministers.

(2) A motion for a vote of no confidence may be moved by at least 46 Deputies and shall be put to a vote no sooner than 7 days after it has been laid.

(3) In the event that a vote of no confidence has not been passed, a subsequent motion of a like kind may be made after 3 months following the day of the vote upon the previous motion. This time limit shall not apply if the motion is laid by at least 115 Deputies.

(4) The House of Representatives, having passed a vote of no confidence, may at the same time choose a new Prime Minister and oblige him to form a Government pursuant to the provisions of Article 58.

(5) If the House of Representatives has passed a vote of no confidence, without at the same time choosing a new Prime Minister, the President shall accept the resignation of the Government or shall dissolve the House of Representatives.

Article 67

(1) The House of Representatives may pass a vote of no confidence in an individual Minister. The provisions of Article 66 (1)-(3) shall apply, as the case may be.

(2) A Minister, in whom a vote of no confidence has been passed by the House of Representatives, shall resign and the President shall accept his resignation.

Article 68

- (1) A Minister may resign from his office by offering his resignation to the Prime Minister.
- (2) Upon a motion by the Prime Minister, the President may effect changes in the office of individual Ministers.

Article 69

- (1) A regional administrator is an officer of governmental administration and a representative of the Council of Ministers in a region.
- (2) The procedure of appointment and recall of regional administrators, as well as their scope of activity, shall be established by statute.

Chapter V Local Self-Government

Article 70

- (1) Local self-government shall be the basic form of organization of local public life.
- (2) Units of local self-government shall possess legal personality as communities of inhabitants in a particular area existing by force of law.
- (3) The right of ownership and other property rights vested in a unit of local self-government shall be the property of the community.
- (4) The commune shall be self-government. Other self-government shall be the basic unit of local types of units of local established by law.

Article 71

- (1) Local self-government shall concern itself, within the limits defined by law, with the performance of a substantial part of public tasks, except for those tasks which are, by statute, reserved exclusively to the competence of governmental administration.
- (2) Units of local self-government shall perform public tasks ascribed to them, in their own names and with their own responsibility, in order to satisfy the needs of the inhabitants.
- (3) Units of local self-government, within the limits defined by law, shall exercise powers of governmental administration. For this purpose, they shall be provided with appropriate financial resources.
- (4) Units of local self-government shall fulfil their tasks by means of their own constitutive and executive bodies, and shall, within the limits defined by law, be free to formulate their organizational structures.

Article 72

- (1) Elections to constitutive bodies of self-government shall be general and equal, and shall be done by secret ballot.
- (2) The inhabitants may take decisions by means of a local referendum. The requirements and procedures of holding a local referendum shall be established by law.

Article 73

- (1) The revenues of units of local self-government shall consist of their own revenues as well as subsidies and grants.
- (2) The sources of revenues for units of local self-government in the field of public tasks shall be guaranteed by law.

Article 74

The supervision of the activity of units of local self-government shall be defined by law.

Article 75

The principles governing association of units of local self-government and the representation of their interests to the State authorities shall be defined by law.

Chapter VI Transitional and Final Provisions

Article 76

The provisions of Article 8 shall not apply to persons who take office before the day of coming into force of this Act.

Article 77

The Constitution of the Republic of Poland of July 22, 1952 shall cease to have effect except that the provisions of Chapters 1, 4, 7 (with the exception of Article 60 (1)), 8, 9 (with the

exception of Article 94), 10 and 11 shall continue in force.

Article 78

This Act shall enter into force 14 days after its promulgation

For methodology see: *Comparing Constitutions and International Constitutional Law*.
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