



The Social Contract Incubator

Concept Paper, Principles, Voviodship Charter

Model Voivodship Charter

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Preamble

[The invocation reflecting the values of the voivodship here]

We, citizens of the Model Voivodship

[The vision of local values and goals here]

guided by the desire to build strong and just Republic of Poland,

in solidarity with the inhabitants of other voivodships,

in accordance with the Constitution and national laws

as well as international law binding Poland,

we establish this Voivodship Charter

- a set of answers to the questions most frequently asked by citizens

which, together with the Basic Resolutions,

will constitute the fundamental right for our Voivodship.

Part I. Questions about the General Principles on which the Subnational Government of our Voivodship Serves the Citizens

Question 1: In our Voivodship, citizens are members of various units of the subnational government. What are the relations between these units?

1.1. In the Model Voivodship, each citizen is, by law, a member of a commune, county, and voivodship community where they reside. Residents of *City name*, *City name*, *City name*, *City name*, and *City name* form a community of the city with the rights of a county, which combines the rights of a commune and a county. Commune, county, city, and voivodship communities together form the Subnational Government of our Voivodship.

The Constitution of the Republic of Poland gives the commune the status of a basic subnational governance unit. This means that all public tasks which the Constitution or laws have not reserved for national authorities, and which the Basic Voivodship Resolutions have not delegated to county or voivodship authorities, are performed at the commune level.

Question 2: Who exercises subnational government authority in our Voivodship?

2.1 The subnational government authority in the Model Voivodship belongs to the citizens of the Voivodship, who exercise this authority directly or through the institutions of the subnational government of our Voivodship. The subnational government authority shall be exercised within the framework and limits set by the Constitution of the Republic of Poland, international agreements binding on the Republic of Poland, including the law of the European Union, national statutes, and regulations.

2.2 Citizens shall participate in the exercise of the subnational authority, in particular through referenda and electronic referenda, including Electronic Voivodship Referenda on the distribution of funds from the Civic Family Budget and other civic budgets, participation in the Civic Dialogue concerning draft Voivodship Resolutions and other acts of voivodship and local law, Citizen's Legislative Initiative, initiation and participation in Social Consultations, participation in sessions (traditional and electronic) of legislative bodies of the subnational government in our Voivodship, and convening civic sessions of these bodies.

2.3 The system of democratically elected subnational authorities in our Voivodship is based on the principle of separation of powers: legislative, executive, judicial, and independent control institutions. The system of these authorities is presented in the table below:

	Legislative Power	Executive Power	Judicial Power	Independent Control Institutions
<i>National Level</i>	Sejm of the Republic of Poland Senate of the Republic of Poland	Council of Ministers	Supreme Court Constitutional Tribunal Supreme Administrative Court National Council The judiciary	President of the Republic of Poland National Election Commission Other national independent institutions (within the scope of their competence) The College of the Voivodships
<i>Voivodship Level</i>	Diet [Sejmik] Voivodship Senate	Voivod The Voivodship Council of Ministers Voivodship Executive Agencies	The Voivodship Supreme Court	Voivodship Audit Chamber
<i>County Level</i>	Council	City Council Mayor	Board of Executives County courts	Voivodship Ombudsman
<i>Commune Level</i>	Council	Mayor		
		<i>City with County Rights Level</i>		

2.4 The seats of the voivodship authorities are cities with county rights in our Voivodship.

Question 3: What are the principles followed by the institutions of the subnational government of our Voivodship in performing their functions for the benefit of citizens?

3.1 All institutions of the subnational government of our Voivodship act on the basis of and within the limits of national law, international law binding on Poland, voivodship law, and in the case of communes, counties, and cities – also the law of a given commune, county, or city.

3.2 The subnational government institutions of our Voivodship perform their functions on the basis of the following principles:

3.2.a. The principles of subsidiarity and proportionality;

3.2.b. The principles of honesty and transparency;

Here are other principles which will be followed by subnational government authorities in the Voivodship.

Question 4: What civil rights and freedoms are protected by the subnational government of our Voivodship?

4.1 All institutions of government of our Voivodship shall respect and ensure respect for the rights and freedoms of every human being guaranteed in the Constitution of the Republic of Poland and international law binding on the Republic of Poland. Additionally, our Voivodship protects and acts towards the fullest realization of:

[Here each voivodship can present a list of rights and freedoms that are particularly important for the particular voivodship and correspond to regional values. These rights and freedoms can be divided into three groups:

- *First group: Rights concerning the functioning of subnational authorities in the voivodship, e.g. the right to communication that is understandable, responsive, friendly, and free from bureaucratic jargon on the part of our subnational government administration;*
- *Second group: rights related to social, moral, political, and civilizational challenges, e.g. the right of a citizen to receive additional medical services co-financed by the subnational authorities of the Voivodship;*
- *Third group: economic rights, e.g. the right to free nursery care for children aged 3 months / 6 months / 1 year – 3 years and kindergartens for children aged 3 – 7 [3 – 6] years.]*

4.2 Respecting the constitutional principle of equality before the law, the subnational institutions in our Voivodship provide special protection and care:

[Here are examples of groups which, according to local values, are given special care, e.g. elderly people, families with many children, people socially discriminated against on the basis of sexual orientation, etc.]

Part II. Questions Concerning Individual Institutions of The Government of Our Voivodship

Question 5: How is our commune government elected and how does it work?

5.1 The legislative power in communes is exercised by Commune Councils and the executive power by the Mayor. In cities with county rights, a City Council exercises the legislative power, while the executive power is exercised by the Mayor.

5.2 Commune Councils and City Councils shall be composed of not less than 15 and not more than 45 councilors, depending on the number of inhabitants of the commune. Councilors are elected in equal, secret, direct elections [optionally: proportional], in which all residents of a commune are entitled to vote for a four-year term [or any other number not higher than 5 years].

5.3 The Mayor is elected [Option 1] in equal, secret, general and direct elections for a four-year term of office [or any other number not higher than 5 years] // [Option 2] elected and dismissed by the Commune or City Council by a majority of the full Council. Only be a Polish citizen may be a Mayor.

5.4 All resolutions and votes of a Commune Council or City Council are held electronically, through the *demokracja.gov.pl* portal. These resolutions and voting shall be open to the public unless the law provides that the resolution, election, or other decision is to be taken in an electronic confidential vote. In electronic confidential voting, the voter's identity is known only to members and employees of the National Election Commission administering *demokracja.gov.pl* portal, who are obliged to maintain secrecy under the threat of criminal liability.

5.5 Electronic voting may take place in a traditional session during which the councilors of a commune or city are physically present in a single place, or an electronic session during which the discussion is conducted through *demokracja.gov.pl*. A traditional session is convened at least once a quarter. Both traditional and electronic sessions shall be open and recorded.

5.6 Resolutions of a Commune or City Council shall be adopted by a simple majority of votes in the presence of at least half of the full Council.

5.7 Commune or city councilors may form a political group of councilors.

5.8 A Commune or City Council shall elect from among its members a Chairperson and one to three Vice-Chairpersons by an absolute majority of votes in the presence of at least half of the full Council, in an electronic confidential vote.

5.9. A Commune or City Council exercises a control function over the Mayor. For this purpose, it appoints an audit committee composed of representatives of all councilors' political groups, except for councilors acting as the chairperson or vice-chairpersons of the Council.

5.10. The commune and city councilors may not take up additional activities or receive donations that could undermine voters' confidence in the exercise of their mandate. They may not invoke their mandate in connection with additional activities or businesses. They may not conduct business activity on their own account or together with other persons with the use of commune or city property, nor may they perform the function of a head or deputy head of a commune, county, city, or voivodship organizational unit.

5.11. The Mayor is in charge of the day-to-day running of the affairs of the commune or the city. Commune or city organizational units and companies are subordinate to the Mayor.

5.12. The Mayor issues orders published on the *modelowe.gov.pl* portal. The orders of the Mayor are public and justified.

Question 6: How is our county government elected and how does it work?

6.1 The legislative power of the county is the County Council, and the executive power is the County Board of Executives. The provisions of Sections 5.4.-5.10 on Commune Councils shall apply accordingly to the composition, election procedures, and functioning of County Councils.

6.2 The county administration is headed by the President of the Board of Executives [*starosta*]. Both the President and the Board are appointed and dismissed by the County Council by a majority of votes of the full Council. Only a Polish citizen may be the President or a member of the County Board of Executives.

6.3 The County Board of Executives is responsible for the day-to-day management of the county's affairs. County organizational units are also subordinate to the Board of Executives. Decisions of the Board of Executives shall be taken by a simple majority of votes. All resolutions of the Board of Executives are adopted electronically via *demokracja.gov.pl* and are public and justified. The internal organization of the Board of Executives shall be determined by a resolution of the County Council.

Question 7: What is the role of associations of communes and counties as well as metropolitan associations?

7.1 Communes, counties, and cities of our Voivodship may be associated with each other and with communes, counties, and cities of other Voivodships in associations and self-governing associations in order to exchange experiences, perform public tasks more effectively, and implement joint ventures. These associations may include local government units of the same as well as different levels. Our Voivodship particularly supports metropolitan associations involving a city and local government units located in its vicinity. On the other hand, it is forbidden to establish an association to which the county and some communes located within the county belong. Voivodships may not become members of associations and self-governing associations described in this question.

7.2 An association of communes, counties, or a metropolitan association shall be established by a resolution of the councils of at least two local government units. Such a resolution must also lay down the bylaws of the association.

7.3 Accession to an existing association requires the consent of the board and the council of the local government unit planning to join and the consent of the association issued in the procedure laid down in the bylaws of that association.

7.4 Where an association is to take over the tasks of a commune, county, or a city, the consent of residents in a Local Electronic Referendum or a Local Referendum is necessary for the formation of an association, or the accession of a commune, county, or city to an existing association.

Question 8: How is the Diet of our Voivodship elected and how does it work?

8.1. The Diet, which together with the Voivodship Senate constitutes our Voivodship legislative authority, consists of 30 [or another number] Voivodship Representatives elected by universal suffrage, in equal, direct, [optionally: proportional], and secret ballot, for a four-year term [or another number not higher than 5 years]. If the time period between the planned election of our Diet and the planned day of the

election to the Sejm and Senate of the Republic of Poland, or the election of the President of the Republic of Poland is shorter than six months, the term of our Diet is shortened accordingly.

8.2 Voivodship Representatives are representatives of the citizens of our Voivodship and are not bound by the instructions of the voters. The mandate of a Voivodship Representative may not be combined with the function of the Voivodship Senator, the mandate of a Member of the Sejm of the Republic of Poland, with offices that cannot be combined with the mandate of a Member of the Sejm of the Republic of Poland according to the Constitution of the Republic of Poland, with the function of the Voivodship Ombudsman or a member of the Board of the Voivodship Chamber of Auditors, or with membership in the authorities of another voivodship or local government unit. Voivodship Representatives shall also be subject to the provisions of Section 5.9. relating to commune councilors.

8.3 Voivodship Representatives may form a political group.

8.4 The work of the Diet shall be organized by its Presidium, composed of the Speaker and up to three Vice-Speakers.

8.5 The Diet adopts decisions, including Voivodship Resolutions, appoints and dismisses the Speaker and Vice-Speaker, as well as appoints and dismisses Ministers of the Voivodship, by a majority of votes of the full composition of the Diet.

8.6 The provisions of Section 5.4.-5.5. concerning the use of *demokracja.gov.pl* portal in resolutions and votes of Commune or City Councils shall apply accordingly to the manner of organizing resolutions and votes in the Diet.

Question 9: How is our Voivodship Senate elected and how does it work?

9.1. The Voivodship Senate, which together with the Diet is our Voivodship's legislative authority, consists of the Voivodship Senators, who are all Mayors of all the communes and cities that are part of our Voivodship. Voivodship Senators shall be subject to the provisions of Section 8.2. relating to Voivodship Representatives.

9.2 Unless otherwise provided in this Charter or Voivodship Basic Resolutions, the Voivodship Senate shall make decisions, including passing Voivodship Resolutions and shall appoint and dismiss the Speaker and Vice-Speakers of the Voivodship Senate by a majority of weighted votes of the full Voivodship Senate. The votes in the Voivodship Senate are weighted in such a way that each Voivodship Senator has one vote for every 1,000 inhabitants of the commune or city they represent. The number of votes held by each Senator in a given year is stated in a resolution of the National Election Commission on the basis of data provided by the Central Statistical Office. The Voivodship Senator may not divide the votes they hold.

9.3 The work of the Voivodship Senate is organized by its Presidium, which consists of the Speaker together with the Vice-Speakers in the number not exceeding five. The candidate for the Speaker of the Senate of the Voivodship is proposed by a group of at least 15 Voivodship Senators. Each Voivodship Senator may only support one candidate. The candidate who received the highest number of weighted votes in a confidential electronic vote is elected Speaker, while the candidates who received the next highest numbers of weighted votes are elected Vice-Speakers.

9.4 The provisions of Sections 5.4.-5.5. concerning the use of *demokracja.gov.pl* portal in resolutions and votes of commune councils shall apply accordingly to resolutions and votes of the Voivodship Senate.

Question 10: How is the Voivodship Council of Ministers elected and how does it work?

- 10.1. The Voivodship Council of Ministers exercises executive authority at the level of our Voivodship.
- 10.2 The Voivodship Council of Ministers is chaired by the Voivod [Option 1:] elected in equal, secret, universal, and direct elections for a four-year term // [Option 2:] appointed and dismissed by the Diet.
- 10.3 Other members of the Voivodship Council of Ministers are the Ministers of the Voivodship appointed by the Diet at the request of the Voivod and dismissed by the Voivod or by the Diet.
- 10.4 The number of Ministers of the Voivodship and the division of tasks between them shall be determined by a Regulation of the Voivod.
- 10.5 The Voivodship Council of Ministers takes its decisions by a majority of votes of its full composition.
- 10.6 In order to ensure professional activity of the Voivod and the Ministers of the Voivodship, appropriate specialized organizational units shall be created in the Voivodship Office. At the request of the Minister of the Voivodship, the Voivod appoints and dismisses the Deputy Minister of the Voivodship.
- 10.7 The Voivod, Minister, and Deputy Minister of the Voivodship must be Polish citizens.
- 10.8 The administrative support for the Voivod is provided by the Voivod's Office. The Voivod appoints, dissolves, and grants the bylaws of Voivodship Ministries serving the Voivodship Ministers.

Question 11: How can our Voivodship take up Close Cooperation with other Voivodships?

- 11.1 Our Voivodship may undertake Close Cooperation with other Voivodship or Voivodships in any area of public affairs, obviously within the competence of the subnational government of our Voivodship. The establishment of such Close Cooperation takes place in accordance with Voivodship Resolutions passed by the Diet and the Senate of our Voivodship, and by the Diet and the Senate of the Voivodship or Voivodships adopting Close Cooperation with us. At any time, our Voivodship may terminate Close Cooperation by a Voivodship Resolution. Conforming Voivodship Resolutions on the basis of which Close Cooperation was established may provide for a transitional period, not longer than three years, from the declaration of the termination until the time when the Close Cooperation actually ends; they may also provide a mode of public expenditure settlement of costs incurred within the framework of Close Cooperation.
- 11.2 In the area of public matters covered by the Close Cooperation, the legislative authority is held by joint electronic sessions of the Diets and Senates of all the Voivodships that are part of the Close Cooperation. Such connected electronic sessions are held through *demokracja.gov.pl* and are open to the public.
- 11.3 Joint electronic sessions of Diets shall adopt Inter-Voivodship Resolutions and other decisions by a majority of votes of the full composition of the combined Diets of all the voivodships belonging to the Close Cooperation, weighted by the number of inhabitants of the represented voivodship. Joint electronic sessions of the Voivodship Senates take decisions by a majority of votes of the full composition of the combined Senates of all the voivodships belonging to the Close Cooperation weighted as in the Senate of our Voivodship.
- 11.4 Voivodships belonging to the Close Cooperation may, in an Inter-Voivodship Resolution, create the post of the Inter-Voivodship Minister responsible for administering the area of Close Cooperation. Such a resolution regulates the method of financing of the Inter-Voivodship Minister and the Inter-Voivodship Ministry directed by them.

11.5. A candidate for the Inter-Voivodship Minister shall be proposed, in a joint declaration of the Voivods of all the voivodships belonging to the Close Cooperation. Appointment to the position of Inter-Voivodship Minister requires the consent of the Diets of all the voivodships belonging to the Close Cooperation. Each of the Voivods and Diets may at any time dismiss the Inter-Voivodship Minister. The Inter-Voivodship Minister is a member of the Voivodship Council of Ministers of our Voivodship, just like the Voivodship Minister.

Question 12: How do Voivodship Executive Agencies work?

12.1 The exercise of executive power in our Voivodship is supported by Voivodship Executive Agencies, including the Model Voivodship Prosecutor's Office, Voivodship Police, Voivodship Fire Brigade, and Voivodship Treasury Administration.

12.2 The Model Voivodship Prosecutor's Office consists of the Voivodship Prosecutor, their deputies, county prosecutors, and their deputies, as well as other prosecutors of the Voivodship Prosecutor's Office and county prosecutor's offices established in our Voivodship. These prosecutors represent the public in criminal cases considered in the first instance by the county court in our Voivodship and observe the rule of law in accordance with the rules set out in national and voivodship laws. The Model Voivodship Prosecutor's Office cooperates with the National Prosecutor's Office and its subordinate District Prosecutor's Office in our Voivodship.

12.3. Voivodship Police is a uniformed and armed formation that supports the National Police as well as Communal or Municipal Police which operates in our Voivodship in protecting the safety of people and property and maintaining security and public order in our Voivodship. The Voivodship Police is responsible for the recruitment and training of communal or municipal police officers, performs internal control tasks in the Communal or Municipal Police, and maintains security and public order in communes and cities that have not established Communal or Municipal Police. The Voivodship Police is headed by the Commander. The Commander issues opinions on the appointment and dismissal of Communal or Municipal Police Commandants in our Voivodship and supervises the Communal and Municipal Police units with regard to the use of direct coercive measures, detentions, personal control, and the imposition of fines in mandate proceedings.

12.4 The Voivodship Prosecutor, County Prosecutors, and the Commander of the Voivodship Police shall be appointed by the Voivodship Council of Ministers from among persons entered in the appropriate human resources maintained, respectively, by the national Minister of Justice and the minister in charge of internal affairs. A citizen may be removed from the human resources by an administrative decision of the competent minister, but only after reaching the age of 70 or for important, justified reasons.

12.5 The Voivodship Treasury Administration performs tasks related to the implementation of revenues from local and Voivodship taxes, protection of the assets of the subnational government units of our Voivodship, at the same time providing services and support to citizens in the proper performance of their tax obligations. It is headed by the Voivodship Minister in charge of public finance or a Deputy Minister subordinate to them. Organizational units of the Voivodship Treasury Administration are tax offices supervised by their heads.

12.6. The Voivodship Resolution may establish other Voivodship Executive Agencies, and the Inter-Voivodship Resolution may establish Inter-Voivodship Executive Agencies.

Question 13: Who exercises the judicial authority in our Voivodship?

13.1 The justice system in our Voivodship is performed by national courts and voivodship courts, i.e. the Voivodship Supreme Court and county courts. All courts administer justice and issue judgments on behalf of the Republic of Poland.

13.2. Voivodship county courts exercise justice in our Voivodship by adjudicating in the first instance in all cases not reserved by law to the jurisdiction of regional courts.

13.3 The Voivodship Supreme Court of our Voivodship administers the justice system:

13.3.a. in the Administrative Chamber – as an administrative court of first instance in cases concerning the judicial review of activities of the subnational administration of our Voivodship, including cases of complaints against individual decisions, of compliance of local lower-order acts of law issued by communes, counties, cities and the Voivodship with national laws and subnational laws of the higher order, of complaints against acts of supervision over the activities of communes, cities, and counties issued by voivodship authorities, as well as of competence disputes between communes, cities, counties, and voivodship authorities in our Voivodship;

13.3.b. in the Civil, Criminal and Labor and Social Security Chambers – as a common court of second instance in cases of appeals against the judgments of county courts in our Voivodship.

13.4 Judges of the Voivodship Supreme Court shall be appointed by the President of the Republic of Poland at the request of the National Council of the Judiciary. This motion, concerning a candidate who has obtained a positive opinion of the Voivodship Senate by a majority of at least 60% of the weighted votes of the full Voivodship Senate, may be submitted by the National Council of the Judiciary. However, if three consecutive candidates proposed by the National Council of the Judiciary for a given judicial post do not obtain the required majority of 60% of the weighted votes, the National Council of the Judiciary may present to the President of the Republic the candidate who obtained the highest number of weighted votes among the candidates for that post presented to the Voivodship Senate.

13.5 The National Council of the Judiciary shall consist, in addition to other persons mentioned in the Constitution of the Republic of Poland, of eight judges elected for individual four-year terms by the General Assemblies of the Voivodship Supreme Courts. The General Assembly of each Voivodship Supreme Court, including the Supreme Court of our Voivodship, elects a member of the National Council of the Judiciary every second term. Every year, these members of the National Judicial Council shall be elected in two voivodships.

Question 14: What role do independent control institutions play in our Voivodship and how do we elect the members of these institutions?

14.1 Independent control institutions ensure, on behalf of the citizens, respect for the rule of law and observance of civil rights in our Voivodship.

14.2 Members of the Board of the Voivodship Chamber of Auditors are appointed for a four-year term of office: $\frac{2}{3}$ – by a majority of 60% of weighted votes of the full Voivodship Senate, $\frac{1}{3}$ – by the President of the [national] Supreme Chamber of Control.

14.3 The Voivodship Ombudsman, in cooperation with the [national] Ombudsman, guards the freedoms and rights of citizens as defined in the Constitution of the Republic of Poland, in this Charter, Basic Resolutions, and other normative acts.

14.4 The Voivodship Ombudsman shall be appointed by the [national] Ombudsman for a five-year term of office from among three candidates proposed by the Voivodship Senate. Candidates are selected by the Voivodship Senate by a majority of 60% of weighted votes of the full composition of the Voivodship Senate.

14.5 Members of the Board of the Voivodship Chamber of Auditors and the Voivodship Ombudsman shall be independent of other Voivodship authorities in their activities, and may not hold any other positions or perform any other professional activities except for the position of professor at a higher education institution.

Question 15: What is the role of the College of Voivodships and what is our influence on its functioning?

15.1 The College of Voivodships is a central public administration body, which coordinates public policy in the areas falling within the competence of the subnational governments, creates nationwide standards in the provision of public services by subnational governments and supervises subnational government units.

15.2 The College of Voivodships meets in the following panels:

- 15.2.I. Education Panel;
- 15.2.II. Science and Higher Education Panel;
- 15.2.III. Entrepreneurship and Technology Panel;
- 15.2.IV. Family, Labor, and Social Policy Panel;
- 15.2.V. Health Panel;
- 15.2.VI. Culture, Sport and Tourism Panel;
- 15.2.VII. Urban Planning and Infrastructure Panel
- 15.2.VIII. Agricultural Policy Panel;
- 15.2.IX. Justice and Accountability Panel;
- 15.2.X. Finance and Voivodship Property Panel;
- 15.2.XI. Administration Panel.

15.3 Each panel of the College of Voivodships consists of Voivodship Ministers, one from each voivodship, responsible for public policy matters in the area of competence of a given panel. Where a given public policy area is covered by Close Cooperation between two or more voivodships, the voivodships shall be represented by the competent Inter-Voivodship Minister. The Voivodship or Inter-Voivodship Minister may appoint one of the Vice-Ministers to represent our Voivodship on a given panel of the College of Voivodships.

15.4 Each panel of the College of Voivodships deliberates separately and makes decisions electronically, through *demokracja.gov.pl*. Resolutions and votes of the panel of the College of Voivodships are open unless the law stipulates that a resolution, election, or other decision is to be taken in an electronic confidential vote. Electronic voting may be accompanied by a traditional session, during which members of the panel are physically present in one place, or an electronic session during which the discussion is conducted through *demokracja.gov.pl*. The panel of the College of Voivodships makes decisions by a majority of votes of the full panel weighted by the number of inhabitants of the represented voivodships.

15.5 The panel of the College of Voivodships enacts:

- 15.5.a. Recommendations for the subnational government authorities of our Voivodship;
- 15.5.b. Regulations and technical standards binding on the authorities of the subnational government of our Voivodship, after consultation with the [national] Minister competent for the matters which the regulations and technical standards relate to;
- 15.5.c. Draft regulations to be submitted to the [national] Council of Ministers or Ministers for approval;
- 15.5.d. Draft bills submitted to the Senate of the Republic of Poland.

15.6 The works of the panel of the College of Voivodships are organized and chaired by a non-voting Executive Director elected by members of the panel from outside the panel for a two-year term of office. The panel of the College of Voivodships may dismiss the Executive Director before the end of the term at the request of the members of the panel representing at least 30% of citizens of the Republic of Poland.

15.7 The Executive Agency of the College of Voivodships, headed by the Executive Director of a given panel, shall provide administrative support for the panel. With the consent of the [national] Council of Ministers, the panel of the College of Voivodships may appoint more than one Executive Agency.

Question 16: Who is responsible for ensuring the proper functioning of democratic processes in the subnational government of our Voivodship?

16.1 The correctness of elections and democratic decision-making processes in our Voivodship is guarded by the National Election Commission, which is independent of the government of our Voivodship, governments of other voivodships, but also from the national authorities.

16.2 The validity of elections in our Voivodship is decided by the Voivodship Supreme Court.

16.3 The date of the general commune, city, and county elections shall be announced, on the basis and within the limits of the law, by the Voivod. However, the date of regional elections is announced by the President of the Voivodship Supreme Court, after consultation with the Voivod.

16.4 The tasks of the National Election Commission related to ensuring the proper functioning of democratic processes in our voivodship include:

- 16.4.a. holding general elections, electronic referenda, and referenda in subnational government units of our Voivodship;
- 16.4.b. running the internet portal *demokracja.gov.pl* and administering its functionalities enabling the legislative and executive authorities of our Voivodship to make all decisions and conduct all votes by electronic means, including providing members of the government of our Voivodship with a safe means of identification for the purpose of participating in voting and other decision-making processes provided for in this Charter and other acts of regional and local law, as well as registering the appropriate weighting of votes of individual members of the authorities in the system, on the basis of law regulations and data provided by the Central Statistical Office;
- 16.4.c. administering the functionalities of the *demokracja.gov.pl* portal, which enables citizens to participate in the exercise of local government in accordance with the provisions of this Charter.

16.5 The National Election Commission shall consist of the following members:

- 16.5.a. one judge of the Supreme Court of our Voivodship elected by the General Assembly of that Court Voivodship;
- 16.5.b. one judge each of the Voivodship Supreme Courts of all other voivodships elected by the General Assemblies of these Courts;
- 16.5.c. four judges of the [national] Supreme Court, designated by the First President of that Court, and four judges of the Supreme Administrative Court, designated by the President of that Court.

16.6 Members of the National Election Commission must, in addition to the conditions imposed on judges, be distinguished by their knowledge of legal computer science. Members of the National Election Commission shall be elected for a nine-year term, with a maximum of three members elected each year.

16.7 The National Election Commission shall appoint a Supervisory Team to supervise the elections and democratic decision-making process in our Voivodship, composed of two members of the Commission who are judges of the Supreme Court or the Supreme Administrative Court (one of whom shall be the Chairperson of the Team), two members of the Commission who are judges of the Voivodship Supreme Courts of Voivodships which are not located in the immediate vicinity of our Voivodship, and a member of the Commission who shall be a judge of the Voivodship Supreme Court of our Voivodship. The Supervisory Team may also include observers reported by the political groups of the Diet, but one political group may nominate only one observer.

Part III. Questions about the Law and Its Enforcement in Our Voivodship

Question 17: What types of legal acts bind public authorities and citizens in our Voivodship?

17.1 Legal acts binding public authorities and citizens in our Voivodship shall be applied in the following order:

<i>Acts of national and international law listed in the Constitution of the Republic of Poland</i>	Constitution of the Republic of Poland Acts of international law binding on Poland Statutes Regulations		
<i>Acts of regional law valid throughout our Voivodship</i>	Voivodship Charter and Voivodship Basic Resolutions Inter-Voivodship Resolutions, adopted in the areas of Close Cooperation Voivodship Resolutions, passed by our Diet and Voivodship Senate Voivodship Regulations, issued on the basis of a detailed authorization contained in the Voivodship Basic Resolution, Inter-Voivodship Resolution, or Voivodship Resolution		
<i>Acts of local law valid in a given county</i>	County Charter Resolutions of the County Council	City Charter Resolutions of the City Council Ordinances of the Mayor	<i>Acts of local law in force in a city with county rights</i>
<i>Acts of local law in force in a given commune</i>	Commune Charter Resolutions of the Commune Council Ordinances of the Mayor		

Question 18: How does the lawmaking process in our Voivodship look like?

18.1 In the case of Voivodship Resolutions, a group of Voivodship Representatives representing not less than 15% of the full composition of the Diet, the Voivodship Council of Ministers, or a group of citizens of our Voivodship shall be entitled to introduce bills. Bills are introduced by posting them, along with their justification, in an appropriate tab of *demokracja.gov.pl* portal.

18.2 The Diet considers bills in the process of Civil Dialogue unless the bill has been directed to a fast-track legislative path in accordance with the decision of the Presidium of the Diet and the Presidium of the Voivodship Senate. Civil Dialogue takes place in two phases: consultative and legislative. During the consultation phase, anyone, including Voivodship Representatives and Voivodship Senators, may submit public and non-anonymous amendments and comments to the bill. The bill placed on *demokracja.gov.pl*, as well as its individual provisions, is also subject to public and anonymous evaluation expressed in the form of stars awarded by citizens in two categories: “*understandable provision*” and “*good solution.*” During

the legislative phase, the applicant or the committee of the Diet takes into account or does not take into account the submitted comments and amendments. If significant changes are made to the design, the process is repeated, organizing the next consultation phase, until the next consultation phase no longer results in significant changes to the design. At this point, the project is put to an electronic vote by the Diet.

18.3 Adoption of a draft Voivodship resolution by the Diet is recorded on *demokracja.gov.pl*, using distributed, decentralized, shared, and replicated *blockchain* technology. As soon as the draft Voivodship resolution is passed by the Diet, an electronic vote on the draft resolution begins in the Voivodship Senate. The Voivodship Senate may not amend the draft resolution.

18.4 Until the Senate adopts a Voivodship Resolution, the applicant may withdraw the draft. Adoption of a Voivodship Resolution by the Voivodship Senate is recorded on *demokracja.gov.pl*, using distributed, decentralized, shared, and replicated *blockchain* technology. The moment this entry is made, the voivodship resolution is automatically announced in our voivodship's online official journal, available at *modelowe.gov.pl*.

18.5. The procedure of creating local law in cities with county rights is regulated, *mutatis mutandi*, by Sections 18.1.–18.4. The procedure of creating local law in communes and counties is regulated by the charters of these units of the local government of our Voivodship. These charters must provide for the electronic voting through the *demokracja.gov.pl* portal and for the requirement to announce all passed or issued acts of local law on *modelowe.gov.pl*.

Question 19: How can the citizens of our Voivodship have a direct impact on lawmaking?

19.1 Participation of citizens in the process of creating local laws in our Voivodship takes place primarily through the *demokracja.gov.pl* portal, where an individual profile can be created by any citizen of our Voivodship who has a trusted profile in a public electronic identification system operated by national authorities. In cooperation with the national authorities, the authorities of our Voivodship strive to ensure that the largest possible number of adult citizens of the Voivodship has a profile on *demokracja.gov.pl*.

19.2. In addition to the participation in the Civic Dialogue as described in Section 18.2, citizens of our Voivodship may take part in social consultations organized at an earlier stage of work on the draft Voivodship resolution by the Voivodship Council of Ministers, the Voivodship Minister, as well as the heads of the Voivodship Executive Agencies, the Voivodship Ombudsman, and the Board of the Voivodship Chamber of Auditors. Such consultations may be requested by a group of at least 1,000 citizens of our Voivodship who have the right to vote in the Diet election. The request is submitted electronically via *demokracja.gov.pl*. The Voivodship Council of Ministers shall not submit to the Diet and the Diet shall not start the deliberations on the draft Voivodship Resolution in question until the public consultations requested by the aforementioned group of citizens are finalized.

19.3 Everyone has the right to participate in traditional and electronic sessions of our Diet and the Voivodship Senate. Participation in the traditional session takes place in consideration of the available premises, however, the Diet and the Voivodship Senate shall provide no less than 50 seats for the public, which can be booked (on a first come first served basis) through *demokracja.gov.pl*.

19.4 A group of at least 1,000 citizens of our Voivodship who have the right to vote in the Diet election may submit a Citizens Legislative Initiative by submitting an electronic motion via *demokracja.gov.pl*. Such a draft shall become the subject of deliberations of the Diet at the nearest session after submission of the draft, but not later than 3 months from the date of submission.

19.5 A group of at least 5,000 citizens of our Voivodship who have the right to vote to the Diet, may request that a session of the Diet be convened in a specific case, by submitting an electronic motion via *demokracja.gov.pl*. The Presidium of the Diet decides whether the citizens' application will be dealt with by a traditional or electronic session, or by including a discussion on the issue raised by the citizens in the agenda of the session which also includes other items. The session devoted to the matters raised in the request must be held no later than 3 months after the date of submission. The applicants' representative shall have the right to speak at this session.

19.6 Procedures outlined in Sections 19.2.-19.5. shall also apply accordingly to the participation of citizens in the process of lawmaking in communes, counties, and cities with county rights. In the local government units of our Voivodship with of up to 5,000 inhabitants, a Citizens Legislative Initiative, a request for social consultations, or a request to convene a session of the legislative body may be submitted by 100 citizens. In the units of up to 20,000 inhabitants, the corresponding number is 200 citizens, and in the units above 20,000 inhabitants, it is 300 citizens.

19.7 To resolve an important matter considered by the subnational government of our Voivodship as well as in other important matters concerning social, economic, or cultural ties of our Voivodship community, a Voivodship Electronic Referendum shall be held. The Voivodship Electronic Referendum is conducted through the *demokracja.gov.pl* portal at the request of the Diet, the Voivodship Senate, the Voivodship Council of Ministers, or a group of 20,000 citizens of our Voivodship. Unless other provisions of this Charter state otherwise, the date of the Voivodship Electronic Referendum and the phrasing of the question or options proposed to the citizens are specified in a Voivodship Resolution. If options are presented to choose from, citizens rank the presented options from the most to the least preferred (single transferable vote). All adult citizens of our Voivodship who have a profile on the *demokracja.gov.pl* portal can take part in a Voivodship Electronic Referendum. The identity of a citizen voting in the Voivodship Electronic Referendum is known only to members and employees of the National Election Commission administering *demokracja.gov.pl* portal, who are obliged to maintain secrecy under the threat of criminal liability.

19.8 In the case of a particularly important issue concerning the community of our Voivodship, and in particular in matters affecting human rights and freedoms, a Voivodship Referendum shall be held. The Voivodship Referendum, based on the principles of a general, secret, and direct ballot, is convened at the request of the Diet, the Voivodship Senate, or a group of 50,000 citizens of our Voivodship.

19.9. The result of a Voivodship Electronic Referendum or a Voivodship Referendum shall be valid in case of a turnout of at least 20% and binding upon the Voivodship authorities in case of turnout of at least 40%.

19.10. The provisions of Sections 19.5.-19.7. shall apply accordingly to Local Electronic Referenda and Local Referenda in communes, counties, and cities. The motion to hold a Local Electronic Referendum requires the support of at least 5% of the inhabitants of a given local unit of our Voivodship and in the case of a Local Referendum – of at least 10% of the inhabitants.

Part IV. Questions On Dealing with Citizens' Affairs in Our Voivodship

Question 20: Who in our Voivodship makes administrative decisions that affect the lives of citizens and how can I find out about decisions concerning me?

20.1 Individual administrative decisions concerning citizens of our Voivodship, entrepreneurs, and other entities are issued by executive authorities, including the Mayor, President of the County Board of Executives, Voivod, Minister of the Voivodship, as well as heads of Voivodship Executive Agencies. However, as the number of individual decisions issued is significant, the competent authorities may decide to delegate the power to issue such decisions to other employees of the subnational agencies of our Voivodship.

20.2 In order to facilitate citizens' contact with local government administration, the Voivodship Council of Ministers creates and administers the *modelowe.gov.pl* portal, on which an individual profile may be created by every citizen of our Voivodship, or a legal person, who has a trusted profile in the public electronic identification system operated by national authorities. This portal contains, among other things, up-to-date information on persons entitled to make individual decisions in our communes, counties, cities, and the Voivodship.

20.3 A citizen of our Voivodship, a legal person, or other entity (through their representatives) may give their consent for our Voivodship authorities to deliver all administrative decisions concerning that citizen or a legal person electronically and to submit all applications electronically an individual profile on *modelowe.gov.pl*. Since the cost of delivering decisions by electronic means is substantially lower than in the case of a traditional registered letter, a Voivodship Resolution may introduce tax preferences for citizens, legal persons, and other entities that have agreed to receive Voivodship administration decisions by electronic means only.

Questions 21: What can I do if I do not agree with the decision of the subnational government agency of our Voivodship?

21.1 If a natural or legal person having a legal interest in the matter does not agree with an individual decision of a commune, county, city, or voivodship authority, they may, within thirty days from the date of delivery of the decision, file a complaint with the Voivodship Supreme Court. The same complaint may also be filed against the inaction of the commune, county, city, or voivodship administration.

21.2 Anyone whose legal interest or rights and freedoms have been violated by an act of voivodship or local law issued by the subnational authorities of our Voivodship may file for judicial review of the act by the Voivodship Supreme Court.

Part V. Questions about Budget and Property of Our Voivodship, Counties, Cities, and Communes

Question 22: How are the public tasks in our Voivodship financed?

22.1 Public tasks carried out in our Voivodship are financed from the revenue of commune budgets, county budgets, city budgets, and the Voivodship budget.

22.2 Voivodship authorities guarantee adequate funds for communes, counties, and cities to exercise their tasks, striving to increase social cohesion in our Voivodship, to reduce differences in the standard of public services provided to citizens as well as the support provided to communes, counties, and cities affected by socio-economic problems, through:

22.2.a. adoption of local taxes and charges constituting own revenues of the commune, county, and city budgets;

22.2.b. ensuring participation in the revenues from voivodship taxes (including personal and corporate income tax), as own revenues of the commune, county, and city budgets;

22.2.c. designation of other revenue as own revenue of the commune, county, and cities budgets;

22.2.d. transfer of subsidies from the voivodship budget;

22.2.e. respect of the autonomy of communes, counties, and cities in the spending of subsidies directly transferred to them from the national budget.

22.3 The Diet and the Voivodship Senate adopt the budget of our Voivodship by way of a Voivodship Resolution. The budgets of communes, counties, and cities are passed by resolutions of the legislative bodies of these units.

22.4 The draft budget resolution is presented to the Diet by the Voivodship Council of Ministers. Without the consent of the Voivodship Council of Ministers, the Diet may not introduce changes in the draft budget resolution that would reduce revenues or increase expenditure and, at the same time, increasing the voivodship budget deficit. These provisions shall apply accordingly to councils of communes, counties, and cities.

22.5 If a Voivodship Budgetary Resolution or a resolution on a provisional budget did not come into force on the date of commencement of the fiscal year, the Voivodship Council of Ministers shall conduct financial management on the basis of the submitted draft resolution. If within 3 months from the beginning of the fiscal year, a voivodship budget resolution is not adopted, the President of the Republic of Poland may shorten the term of office of the Diet within 14 days. However, in the case of failure to adopt a budget resolution by a commune, county, or city within one month from the beginning of the fiscal year, the budget of the commune, county, or city is determined by the Voivodship Chamber of Auditors on the basis of a draft prepared by the Mayor or the County Board of Executives.

22.6 The budget of a commune, county, city, or the Voivodship may not cause the ratio of the total planned cost of debt servicing to the planned revenue to exceed the seven-year average of the ratio of the excess of revenue over expenditure to revenue of a given unit of the subnational government. The Voivodship Basic Resolution sets out detailed rules for the calculation of the aforementioned ratios and procedures to ensure that they are adhered to.

22.7 Civic budgets form a part of the budgets of our communes, counties, cities, and the Voivodship.

22.8 An important part of the budget of our Voivodship is also the Civic Family Budget, which comes from the funds transferred to our Voivodship from the national budget's Child Benefit, for every child in our Voivodship. The general objective of the funds of the Civic Family Budget is to support families in our Voivodship in bringing up children. However, the detailed objectives and rules of disbursement of funds from this Budget in the following financial year are based on the results of a Voivodship Electronic Referendum, in which citizens of our Voivodship choose between the current system of distribution of these funds, two alternative proposals presented by the Diet, and one alternative proposal presented by the Voivodship Senate. The Voivodship Electronic Referendum on the Civic Family Budget must take place every year by 30 November, unless the Diet and the Senate of the Voivodship do not submit alternative proposals for the distribution of funds of the Civic Family Budget.

Question 23: On what principles are voivodship and local taxes levied in our Voivodship?

23.1 Voivodship and local taxes are personal income tax, corporate income tax, inheritance and gift tax, real estate tax, and other taxes and public levies which national law has not reserved for as national taxes. Our Diet and the Voivodship Senate introduce voivodship and local taxes by way of a Voivodship Resolution.

23.2 Entities and objects of taxation, tax rates, and rules of granting credits and deductions, as well as categories of entities exempt from voivodship and local taxes are regulated in Voivodship Resolutions. In the case of local taxes, the Voivodship Resolution also specifies the extent to which the commune, county, or city council can set the rates of these taxes, guaranteeing equal and fair treatment of all taxpayers. Our Diet and Voivodship Senate may change Voivodship tax resolutions only if such a change does not result in a decrease of the combined budgetary revenue of all units of the subnational government within our Voivodship, as compared to the long-term forecast of such income prepared on the assumption that the current legal status is maintained. Otherwise, such a change requires the consent of the Senate of the Republic of Poland.

23.3 Voivodship and local taxes in our Voivodship are collected by the Voivodship Treasury Administration unless the law provides otherwise.

Question 24: What are the principles governing the property of the subnational government in our Voivodship?

24.1 Our Voivodship, as well as communes, counties, and cities in our Voivodship, have legal personality and perform public tasks on their own behalf and their own responsibility.

24.2 Voivodship property – ownership and other property rights acquired by our Voivodship or other voivodship legal persons, including shares in companies owned by voivodship legal persons – supports the performance of public tasks. This property is managed with particular care, transparency, and attention to the public interest. Decisions on the appointment and dismissal of persons responsible for the management of regional assets are taken solely on the basis of competence. These principles apply accordingly to commune, county, and city property.

24.3 Supervision over the management of voivodship, commune, county, and city property is exercised by the Voivodship Chamber of Auditors.

Part VI. Questions About the Accountability of the Authorities of Our Voivodship

Question 25: Where can I learn about the activities of commune, county, city, and voivodship agencies and institutions?

25.1 Every citizen of our Voivodship has the right to access up-to-date and understandable information on public matters concerning the activities of the subnational government institutions of our Voivodship. The basic source of this knowledge are two web portals:

25.1.a. *demokracja.gov.pl* portal, administered by the National Election Commission, is a place where you can monitor and participate in the process of creating local law in our Voivodship, including our Diet and the Voivodship Senate, as well as in commune, county, and city councils;

25.1.b. *modelowe.gov.pl* portal, administered by our Voivodship Council of Ministers, is a place where you can find information about all other activities of the subnational government authorities of our Voivodship, including the voivodship and local laws already passed (along with the functionality of tracking the history of changes in these laws and automatic notifications of changes coming into force), as well as individual decisions, the composition and structure of our subnational administration bodies, and the provision of public services, including those provided electronically.

25.2 Every subnational government administration office in our Voivodship is required to maintain and update a website with answers to questions frequently asked by citizens.

25.3 If the information on public matters is not available at *demokracja.gov.pl* or *modelowe.gov.pl*, a citizen may request access to this information. The citizen does not have to demonstrate a legal or factual interest to obtain this information.

Question 26: How do commune, county, city, and voivodship agencies and institutions improve their functioning and learn from citizens?

26.1 The agencies and institutions of the subnational government in our Voivodship are obliged to continuously undertake actions aimed at improving their activities, in particular, to improve organization, strengthen the rule of law, improve work efficiency and prevent abuse, protect property, and better the ways of meeting the needs of the population. To this end, they work together with the citizens. Tools used to improve this activity are, among others: The Voivodship Quality Assessment System for Law and Public Services, the National Ranking of Public Services, and the constitutional right to lodge complaints and motions.

26.2 The Voivodship Quality Assessment System for Law and Public Services is a functionality of the *modelowe.gov.pl* portal, which allows every citizen who has a profile on this portal to:

26.2.a. evaluate each provision of a voivodship or local law act published on *modelowe.gov.pl*, through anonymous evaluation expressed in the form of stars, in two categories: "understandable provision" and "good solution," as well as in the form of a non-anonymous descriptive evaluation of a given provision;

26.2.b assess public services and interactions with subnational administration in our Voivodship. The assessment expressed in the form of stars is anonymous and public, while a descriptive review is shared with the management of a given agency.

26.3 The National Ranking of Public Services, which is prepared annually by the College of Voivodships, informs the citizens on the quality of public services provided by the subnational government in our Voivodship, on the basis of carefully considered and verifiable measures. Information about the current position in the ranking is placed in a visible place on the main website of the agency responsible for the implementation of public policy in the area covered by the ranking. Information about our Voivodship's current position in the average ranking of public services is placed in a visible place on the main page of the *modelowe.gov.pl* portal.

26.4 Any citizen may complain about the negligence or improper performance of tasks by the subnational government in our Voivodship or by its employees, about the violation of the rule of law or the interests of the complainant, as well as about lengthy or bureaucratic handling of cases. The competent institution should settle the complaint without undue delay, but no later than within one month.

26.5 Each citizen may submit a motion containing suggestions for improvement of the organization of the subnational government in our Voivodship, including strengthening the rule of law, improving work efficiency, preventing abuse, protecting property, furthering meeting the needs of the population. The competent institution should respond to the motion without undue delay, but no later than within one month.

Question 27: How is the work of individuals performing public functions in the voivodship assessed?

27.1 Work evaluation and remuneration of the officials of the subnational government in our Voivodship must be based on a consistent, transparent, and fair evaluation system, which takes into account both the opinion of an official's superiors and the opinions of citizens, entrepreneurs, and representatives of other entities whose factual and legal situation is affected by the work of the official in question.

27.2. The Mayor or a Voivod is not allowed to seek reelection if, during their term of office, the rank of a given commune, city, or our Voivodship in the National Ranking of Public Services, referred to in section 26.3, has decreased by at least 4 positions in the case of a Voivodship, by 15 positions in the case of a city, and by 150 positions in the case of a commune.

27.3 The Diet, the Voivod, the Minister of the Voivodship, the Council of a commune, county, or a city, as well as the Mayor and the Executive Board of the County, may be recalled in a Voivodship or Local Referendum. In the case of Voivodship authorities, a recall application must be supported by not less than 10% of the citizens of our Voivodship. A recall application may be made earlier than 10 months after the election of the body, not earlier than 10 months after the date of the recall referendum, and no later than 8 months before the end of its term. A recall referendum is valid if the turnout was not less than 60% of the turnout during the election of the body to be recalled, and in the case of a referendum on the dismissal of the Minister of the Voivodship – not less than 60% of the turnout in the last election [Option 1] of the Diet // [Option 2] of the Voivod.

Question 28: Who supervises commune, county, city, and voivodship authorities, and how?

28.1 If a Voivodship Resolution or a Voivodship Regulation violates higher-order law, the President of the Republic of Poland may file to the Voivodship Supreme Court for a judicial review of the Resolution or Regulation in question. If the Resolution or Regulation grossly violates the Constitution of the Republic of Poland or a national statute, and in particular, if it undermines the territorial integrity or state security, the President of the Republic of Poland may declare it invalid before referring it for review by the Voivodship Supreme Court. In this situation, the [national] Supreme Administrative Court may take over the case for its consideration.

28.2 If a resolution or an order of a commune, county, or city council violates the norms of higher-level laws, the Voivod may appeal against them to the Voivodship Supreme Court. If a commune, county, or city resolution or order is grossly contrary to the national or voivodship law, the Voivod may declare it invalid before referring it to the Voivodship Supreme Court for review.

28.3 Financial management and matters concerning public procurement within subnational authorities of our Voivodship, and in subnational government organizational units, and legal persons in our Voivodship are supervised by the Voivodship Chamber of Auditors. The Chamber also supervises business entities and other entities with regard to their use of funds from the commune budget, county budget, city budget, and our Voivodship budget.

28.4 The effectiveness of activities of our Voivodship authorities is supervised by the College of Voivodships. The relevant panel of the College regularly organizes Peer Reviews of key areas of public affairs in our Voivodship. In the case of identifying a prolonged lack of effectiveness of a voivodship authority in a specific area of public affairs, the College of Voivodships issues recommendations or appoints accredited advisers, who support our Voivodship authorities in improving the effectiveness of activities in a given area on an ongoing basis. In the event that these measures do not result in improved effectiveness, the College of Voivodships has the right to appoint a Special Commissioner to temporarily manage a given area of public affairs. The Special Commissioner may be introduced for a period not longer than until the Diet election.

28.5. The Voivod supervises the effectiveness of activities of communes, counties, and cities. Provisions of section 28.4. shall apply accordingly. A commune, county, or city body that is the subject of supervisory activities of the Voivod is entitled to lodge a complaint to the Voivodship Senate, which may overrule the supervisory decisions of the Voivod by a majority of 60% of votes. The Voivod may transfer their right of supervision over a specific area of public policy in a commune, county, or city to the College of Voivodships, for a period not longer than two years.

28.6 In the event of gross and repeated violations of the Constitution or national statutes by the Diet, the President of the Republic of Poland shall, by regulation, shorten the term of the Diet. Such regulation shall enter into force not less than seven days after its promulgation, during which time the Diet may adopt a resolution to address the Senate of the Republic of Poland with an objection to the decision of the President of the Republic of Poland. The Senate of the Republic of Poland may repeal the regulation of the President of the Republic of Poland by a majority of 60% of votes before its entry into force. In a situation in which the activities of the Diet threaten national security and constitutional order, the President, by regulation, shortens the term of the Diet with immediate effect. In such a situation, the Diet is not entitled to lodge a complaint with the Senate of the Republic of Poland.

28.7 If a gross and repeated violation of the Constitution or acts is committed by the Voivod or the Minister of the Voivodship (including in the exercise of their supervisory powers over the bodies of communal, county, and city government), the President of the Republic shall remove them from office. The Voivod or the Minister of the Voivodship may appeal to the Supreme Administrative Court.

28.8 If, as a result of supervisory activities of the President of the Republic of Poland, a situation arises in which a new Voivod or Ministers of the Voivodship cannot be immediately appointed in the procedure specified in this Charter, the College of Voivodships shall appoint the Special Commissioner.

28.9 In the event of gross and repeated violations of the Constitution, national statutes, this Charter, Voivodship Basic Resolutions, or Voivodship Resolutions by a commune, county, or a city council, the Voivod shall submit a motion to shorten the term of office of the commune, county, or a city council. The Diet, by a majority of 2/3 of its full composition, approves the Voivod's motion. If, on the other hand, such gross and repeated violations are committed by a Mayor or a Member of a County Board of Executives, the Voivod submits to the Voivodship Supreme Court a motion for their removal from office.

Part VII. Questions About Emergency Situations and Amendments to The Voivodship Charter

Question 29: What are the rules governing the work of authorities of our Voivodship in emergency situations?

29.1 According to the Constitution of the Republic of Poland, extraordinary states are the following: martial law, state of emergency, and state of natural disaster. Martial law regulations are the exclusive competence of national authorities.

29.2 A state of natural disaster may be declared in the area where a natural disaster occurred, as well as in the area where the effects of the disaster occurred or are likely to occur. The state of a natural disaster is declared, for a specified period of time necessary to prevent or remove the effects of a natural disaster not exceeding 30 days, by the national Council of Ministers or, in the area of our Voivodship, the Voivodship Council of Ministers.

29.3 During the state of a natural disaster on the territory of our Voivodship, the actions aimed at preventing or removing the effects of the natural disaster are directed by:

29.3.a. the Mayor – if the state of natural disaster was introduced only in the area of one commune or a city;

29.3.b. the President of the County Board of Executives – if the state of natural disaster was introduced in the area of more than one commune in a given county;

29.3.c. the Minister of the Voivodship appointed by the Voivod – if the state of natural disaster was introduced in the area of more than one county within our Voivodship;

29.3.d. the National Minister appointed by the Prime Minister – if the state of natural disaster was introduced by the Council of Ministers in an area larger than the area of our Voivodship.

29.4 In the event of Mayor's or the President's of the County Board of Executives inability to direct the actions mentioned in point 29.3., or if the direction is exercised ineffectively, the Voivod may suspend the powers of the Mayor or the President to direct preventive actions and appoint a proxy to direct such actions.

29.5 If the President of the Republic of Poland introduces the state of emergency in the area covering only our Voivodship or a part thereof, the Voivod, in close cooperation with the Prime Minister and the President of the Republic of Poland, shall coordinate and control the functioning of the public administration.

29.6 During the state of emergency, the Voivodship Charter and Voivodship Basic Resolutions may not be amended, nor may a new Voivodship Basic Resolution be adopted. During the state of emergency and within 90 days after its end, elections of the subnational government bodies of our Voivodship may not be held. The same applies to Voivodship and Local Electronic Referenda, and Voivodship and Local Referenda. The terms of office of affected bodies shall be extended accordingly.

Question 30: What is the process of amending the Charter of our Voivodship and Voivodship Basic Resolutions?

30.1 An amendment to the Voivodship Charter or the Voivodship Basic Resolution shall be made by a majority of $\frac{2}{3}$ of the full composition of the Diet and $\frac{2}{3}$ weighted votes of the full composition of the Voivodship Senate. After the adoption by our Diet and the Voivodship Senate, the amendment must be submitted for approval of the Senate of the Republic of Poland. In case of this approval, the amendment is subject to a Voivodship Electronic Referendum or a Voivodship Referendum. The amendment is adopted if the Voivodship Electronic Referendum or a Voivodship Referendum was valid and more votes were cast for the amendment than against it.

30.2 Our Voivodship may, by means of a Basic Voivodship Resolution, decide on the division of the Voivodship. Our Voivodship and one of the Voivodships adjacent to our Voivodship may also, by means of uniform Voivodship Basic Resolutions, decide to merge into one Voivodship. In addition to obtaining the consent of the Senate of the Republic of Poland, the Basic Voivodship Resolution on the division of our Voivodship or the merger with another Voivodship must be approved in a Voivodship Referendum, the result of which must be binding with more votes for the division or merger cast than against it. In this case, an Electronic Voivodship Referendum is not acceptable.

30.3 In order to make it easier for citizens to navigate through this Charter and the Voivodship Basic Resolutions, the Presidium of the Diet and the Presidium of the Voivodship Senate shall, in a joint resolution, add, remove, or change the inline electronic links included in these acts.

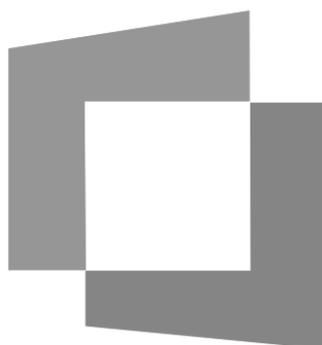
Part VIII. Question on Voivodship Basic Resolutions

Question 31 What Voivodship Basic Resolutions are in force in Our Voivodship?

31.1 In order for this Charter to remain concise and understandable, many fundamental laws of our Voivodship are set out in separate Voivodship Basic Resolutions. The provisions of these Basic Resolutions have the same force as the provisions of this Charter. These resolutions are:

- 31.1.a Voivodship Basic Resolution on Borders and Territorial Division of the Model Voivodship and on the Seats of Commune, County, City, and Voivodship Authorities;
- 31.1.b. Voivodship Basic Resolution on the division of tasks between Commune, County, City, and Voivodship Authorities;
- 31.1.c. Voivodship Basic Resolution on the Detailed Principles of Functioning of the Authorities of the Model Voivodship;
- 31.1.d. Voivodship Basic Resolution on Transparency and Integrity in the Functioning of Model Voivodship Authorities;
- 31.1.e. Voivodship Basic Resolution: Introductory and Transitional Provisions.

31.2 A new Voivodship Basic Resolution may be adopted in the procedure set out for amending the Voivodship Charter described in Section 30.1. After its publication, the Speakers of the Diet and the Voivodship Senate, in accordance with the resolution, shall add the new Voivodship Basic Resolution to the list of these Resolutions in Section 31.1. of this Charter; in this case, the provisions of section 30.1 concerning the amendment of the Voivodship Charter do not apply.



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