

REPUBLIC OF POLAND



THE LAW ON CIVIL SERVICE

of 18 December, 1998

THE LAW ON CIVIL SERVICE

Chapter 1 - General Provisions

Article 1

1. In order to ensure professional, reliable, impartial and politically neutral execution of tasks of the State, the Civil Service is hereby being established, and the rules of access thereto, principles of its organisation, functioning and development are being defined.

Article 2

1. The Civil Service corps shall consist of employees employed in servants' positions in:
 - 1) the Chancellery of the Prime Minister,
 - 2) Offices of Ministers and Chairmen of Committees which are members of the Council of Ministers and offices of central agencies of Government administration,
 - 3) voivodship offices and other offices which constitute structures supporting local agencies of Government administration, subordinate to Ministers or central Government administration,
 - 4) Government Centre for Strategic Studies,
 - 5) headquarters, inspection offices and other organisational units which compose structures in support of heads of unified voivodship services, inspections and guards as well as heads of poviats services, inspections and guards, unless relevant laws state otherwise,
 - 6) ¹⁾,
 - 7) ¹⁾,

hereinafter on referred to as „Offices”.

2. Prime Minister shall determine, by way of a Regulation:
 - 1) categories of Civil Servants' positions,
 - 2) lists of positions in particular categories,
 - 3) professional qualifications required of employees to perform work in Civil Servants' positions unless regulated by special regulations.
3. Servants' positions in offices can also be held by individuals delegated on the grounds of separate regulations for performance of tasks outside the structural units in which they are employed.
4. Duties and rights of Foreign Service corps and the principles of organisation and functioning thereof are determined a separate law.

Article 3

1. According to the letter of this Law:
 - 1) Civil Service employee is a person employed on the basis of an employment contract in accordance with the principles determined by this Law,
 - 2) a Civil Servant is a person employed by virtue of nomination in accordance with the principles determined in this act,
 - 3) a Civil Service corps member is the person referred to in items 1 and 2.

Article 4

Any person may be employed with the Civil Service, which is:

1. a Polish citizen,

2. a holder a full scope of civic rights,
3. has not been penalised for a felony committed by wilful action,
4. holds qualifications required for the Civil Service,
5. enjoys an impeccable reputation.

Article 5

Any citizen is entitled to reach information about vacancies to be filled with the Civil Service. The recruitment for the Civil Service is open and competitive.

Article 6

1. Civil Servants nominations quota for a given budgetary year along with limits, financial resources for remuneration and training for the Civil Service corps members shall be determined by the Budget Law.
2. The Council of Ministers shall determine each year a three-year plan of Civil Servants' nominations and submit it to the Sejm for information along with the draft of the Budget Law.

Article 7

1. Provisions of the Labour Code and other provisions of the labour law apply to all issues ensuing from Civil Service member's employment relationship, which are not regulated by this Law.
2. Disputes over claims ensuing from Civil Service member's employment contracts are exclusively investigated by labour courts, unless the Law states otherwise.

Chapter 2 - **Organisation of the Civil Service**

Article 8

1. The Head of Civil Service is a central authority of Government administration, competent in Civil Service issues within the scope determined by the Law.
2. The Head of Civil Service is subordinated to Prime Minister.

Article 9

1. The Prime Minister appoints the Head of Civil Service from among Civil Servants, after hearing an opinion from the Civil Service Council.
2. The tenure of the Head of Civil Service shall last 5 years, counting from the date of appointment, he/she shall perform his/her functions until the appointment of his/her successor.
3. The tenure of the Head of Civil Service shall expire in case of his/her death or dismissal.
4. The Prime Minister shall dismiss the Head of Civil Service in case of:
 - 1) his/her resignation from the post,
 - 2) loss of capability to perform entrusted duties as a result of permanent disease, which would continue for at least 6 months.
5. The Prime Minister shall also dismiss the Head of Civil Service in case he/she ceases to meet one of the conditions defined in Article 4. Dismissal in the cases referred to in Article 4 items 4 and 5 occurs with the acceptance by at least 2/3 of the Civil Service Council members.

Article 10

1. The Head of Civil Service shall execute his/her tasks ensuring from the law with the assistance of the Deputy Head of Civil Service.
2. The Prime Minister shall appoint the Deputy Head of Civil Service from among Civil Servants, on a request of the Head of Civil Service.

Article 11

The Head of Civil Service shall execute the tasks of the Civil Service with the assistance of General Directors of Offices.

Article 12

1. The Head of Civil Service shall in particular:
 - 1) watch over the observance the Civil Service rules,
 - 2) administer the process of staff management in the Civil Service,
 - 3) collect data on the Civil Service corps,
 - 4) plan and supervise the utilisation resources referred to in Article 6 item 1,
 - 5) organise and run qualification procedure in the Civil Service,
 - 6) run competitions to fill vacancies in senior positions in the Civil Service,
 - 7) run a register of units authorised to organise and run training in the Civil Service,
 - 8) prepare drafts of normative acts in cases envisaged by the Law,
 - 9) disseminate information on the Civil Service,
 - 10) issue the Civil Service Bulletin.
2. The Head of Civil Service shall present the Prime Minister annual reports on the condition of Civil Service and the implementation of Civil Service tasks, including the opinion issued by the Civil Service Council.
3. The Head of Civil Service is entitled to appoint committees and task forces, as supporting or opinion pronouncing and advisory entities on issues of his scope of competencies.

Article 13

1. The Office of Civil Service provides the service to the Head of Civil Service.
2. The organisation of the Office of Civil Service shall be determined in a statute granted by way of a Regulation by the Prime Minister. The Statute of the Office of Civil Service will regulate in particular tasks, organisational structure and rules of issuing authorisations.

Article 14

1. The Civil Service Council is hereby established as an advisory and opinion pronouncing entity for the Prime Minister, to evaluating qualification and competition procedures in the Civil Service from the viewpoint of principles defined in Article 1.
2. The Civil Service Council shall in particular:
 - 1) express opinions on Civil Service issues, presented to it by the Prime Minister or the Head of Civil Service or on its own initiative,
 - 2) issue opinions on the draft of the Budget Law in its part dealing with the Civil Service and on the annual budget execution in this respect,
 - 3) issue opinions on draft normative acts concerning the Civil Service,
 - 4) issue opinions on criteria for assessment of Civil Servants and the manner of conducting such assessments,
 - 5) issue opinions on the rules of promoting Civil Servants,
 - 6) issue opinions on the training programme for Civil Servants,

- 7) express opinion on the issues concerning the professional ethics of the Civil Service corps,
- 8) issue opinion on the candidate to the position of the Head of Civil Service, presented by the Prime Minister,
- 9) issue opinion on draft codes of regulations, governing the proceedings of the High Disciplinary Civil Service Commission,
- 10) issue opinions on the annual reports by the Head of Civil Service.

Article 15

1. The Civil Service Council consists of 16 members.
2. The Prime Minister shall appoint 8 members of the Civil Service Council from among persons meeting the conditions specified in Article 4, items 1-3 and 5, whose knowledge, experience and authority provide a guarantee of correct execution of the Council tasks.
3. The Prime Minister shall appoint 8 members of the Civil Service Council from among representatives of all parliamentary clubs who meet the conditions specified in Article 4, items 1-3 and 5.
4. The Prime Minister shall appoint the President of the Civil Service Council.
5. The Council shall elect the Vice-President of the Council from among its members on request of the Council President.

Article 16

1. The tenure of members of the Civil Service Council appointed in accordance with Article 15 item 2 shall be 6 years, with the tenure of one half of members terminating every 3 years.
2. The tenure of members of the Civil Service Council in accordance with Article 15 item 3 shall terminate at the same time as the terms of the Sejm and Senate.
3. Council members shall perform their functions until the appointment of their successors.

Article 17

1. Membership in the Civil Service Council shall be terminated in case of:
 - 1) death of a member of the Council,
 - 2) when a Council member has ceased to meet one of the conditions specified in Article 4 items 1-3.
2. The Prime Minister shall dismiss a member of the Civil Service Council upon a request of the Council in case when:
 - 1) the Council member fails to fulfil his/her obligations,
 - 2) Council member is unable to fulfil his/her functions in result to an illness.
3. The Prime Minister also dismisses a Council member in case such member files a resignation.
4. The Prime Minister shall also dismiss a Council member when he/she has ceased to meet the condition specified in Article 4 item 5, when accepted by at least 2/3 of the Civil Service Council members.
5. In case of termination of Council membership or dismissal of a Council member before the termination of his/her tenure, the Prime Minister shall appoint a new Council member.

Article 18

1. The procedure of work of the Civil Service Council shall be determined by the regulations adopted by the Council.
2. The Prime Minister's Chancellery shall provide the servicing of the Council works.

Article 19

The Prime Minister shall determine, by way of a Regulation the levels of remuneration of the President, Vice-President and remaining members of the Civil Service Council, established as a multiplication of the lowest employees' remuneration. MPs and Senators appointed to become Civil Service Council members are not entitled to remuneration.

Article 20

1. The position of Director General of Office shall hereby be created in the Offices, with reservations to items 4 and 5, subordinated directly to the respective minister, head of central office or voivode.
2. The Director General of Office shall:
 - 1) ensure the functioning of the Office, conditions for its activity as well as work organisation, in particular in the way of:
 - a) exercising direct supervision over structural units of the Office for the proper execution of tasks defined by the respective government administration bodies, except for units directly supervised by the respective authority on the grounds of the legislation,
 - b) organisational supervision of the course of work on timely development of the draft of the budget and the execution arrangements for the budget in the part concerning the Office,
 - c) approaching the proper authority of the Government administration with a motion to confer organisational regulations on the Office or its structural units, and then developing work regulations,
 - d) managing the Office property, including procurement of services, supplies for the Office, and securing the registration of the Office property,
 - e) representing the State Treasury in with reference to the Office property, with the reservation contained in Article 26 item 1 of the Government Administration at the Voivodship Level Act of 5 June 1998 (see the Journal of Law No 91 item 577),
 - f) carrying out internal control in the Office,
 - g) exercising supervision over the support economic activity of the Office,
 - h) securing observation of regulations dealing with law-protected secrecy,
 - i) securing observation of the principles of the legislative technique.
 - 2) conduct activities falling within the scope of the Labour Law towards persons employed, unless the Law states otherwise, and implements personnel policy in the Civil Service, and in particular:
 - a) carries out actions ensuing from the establishing and continuation of the employment relationship with the Civil Service corps members and actions ensuing from the termination of employment relationship,
 - b) makes decisions regarding the rewards fund, unless the Law states otherwise,
 - c) manages the resources of the Office welfare fund,
 - 3) performs particular Office managing tasks, if separate regulations provide so,
 - 4) performs other tasks on the authorisation by the respective Government administration authority.

3. The Director General in agreement with the respective Government administration authority shall immediately appoint the director of subordinate department of equivalent unit, as his deputy director. The Director General shall immediately notify the Head of Civil Service about appointing his replacement.
4. Tasks provided in the legislation for Director General of Office in local units of the Government administration subordinate to ministers or central authorities of the Government administration and in Offices referred to in Article 2 section 1 item 5, are performed by heads of those Offices.²⁾
5. The Prime Minister is entitled to determine by way of a Regulation, Offices of central authorities of the Government administration where the post of Director General is not established due to the specialised character of tasks executed by those Offices.
6. Tasks provided in the Law for the Director General of Office in Offices referred to in item 5 are performed by managers of those Offices. Respective provisions of the Law and separate regulations concerning the Director General will respectively apply to managers of Offices referred to in item 5 and their Deputies.
7. Within 6 months of the coming into life of regulations issued on the grounds of item 5 positions of office managers defined in those regulations and positions of their deputies will be staffed in the way of competition.

Chapter 3 - Establishing Employment Relationship in the Civil Service

Article 21

1. The Director General of Office shall organise recruitment of candidates for the Civil Service corps.
2. Recruitment referred to in item 1 also concerns graduates of the National School of Public Administration.

Article 22

1. Director General of Office, with the reservation under Article 23, is obliged to disseminate information about vacancies in the Civil Service in his/her Office in the way of placing an advertisement in a piece of general access in the Office headquarters, and in the way of placing an announcement in the Civil Service Bulletin.
2. The announcement should contain:
 - 1) name and address of the Office,
 - 2) description of the post,
 - 3) requirements following the respective post description, with an indication which of those are obligatory, and which are optional,
 - 4) scope of tasks performed in a given post,
 - 5) list of required documents,
 - 6) date and place for their submission.
3. Placing the advertisement in the Civil Service Bulletin is free of charge.

Article 23

The Prime Minister, in accordance with separate regulations, indicates to graduates of the National School of Public Administration in subsequent years their first work posts with the

Civil Service as, presented by the Head of Civil Service, except for senior positions in the Civil Service.

Article 24

Employment contract with a Civil Service employee shall be established on the basis of an employment contract of unlimited duration or by virtue of appointment for a limited period of time, but no longer than 3 years. For limited employment contract, termination of employment relationship can be done at 2 weeks' notice.

Article 25

1. In case of persons assuming employment with the Civil Service for the first time, employment contract shall be concluded for a limited period of time; in the course of its duration those persons are obliged to complete preparatory service, with reservation under Article 27.
2. Preparatory service is aimed at theoretical and practical preparation of the Civil Service employee for the proper execution of job-related tasks.
3. The Director General of Office shall appoint an examination commission to assess candidate's ability to apply in practice the knowledge acquired in the course of his/her preparatory service.
4. Preparatory service shall take 6 months and is concluded no later than within 18 months of assuming employment by the candidate in a given Office. Preparatory service is concluded with an assessment by the examination commission.
5. The Director General of Office on the basis of assessment by the examination commission shall conclude employment contract of unlimited duration with the employee, or terminate his/her employment.

Article 26

1. Preparatory service is organised by the Director General of Office, in accordance with the program developed by the Head of Civil Service in consultation with the National School of Public Administration, and published in the Civil Service Bulletin.
2. The program of the preparatory service can be expanded by the Director General to include a specialised part, taking into account the tasks of the respective Office.

Article 27

1. Graduates of the National School of Public Administration are exempt from preparatory service.
2. The Director General of Office is entitled to shorten the preparatory service period or exempt an employee from obligation to assume preparatory service in case the employee manifests theoretical knowledge and capability to use it in practice in accordance with the requirements of the preparatory service programme, as well as the knowledge of the organisation and rules of functioning of the Office.

Article 28

For nomination to the Civil Service may apply a person, who:

- 1) is a Civil Service employee,
- 2) has completed preparatory service under reservation contained in Article 27,
- 3) can prove a duration of employment of at least 2 years with the Civil Service,
- 4) holds an M. A. degree (or an equivalent degree),

- 5) knows at least one foreign language,
- 6) is a reservist soldier or is not covered by the general defence duty.

Article 29

1. The Head of Civil Service shall define and publish in the Civil Service Bulletin a sample application form for the qualification procedure designed for the Civil Service employees applying for, and a sample motion for nomination for graduates of the National School of Public Administration.
2. The Head of Civil Service within 14 days from the publication of the Budget Act shall announce to the public the maximum number of new nominations in a given year by way of publishing an announcement in the Civil Service Bulletin.

Article 30

1. A Civil Service employee shall submit an application to take part in the qualification procedure to the Head of Civil Service. Applications to take part in the qualification procedure in a given calendar year shall be submitted in the period between 1 January and 31 May of that year.
2. Graduates of the National School of Public Administration who meet the conditions defined in Article 28 items 1 and 4-6 submit to the Head of Civil Service motions for nomination to the Civil Service. Motions for nomination to the Civil Service are submitted in the period between 1 January and 31 May.
3. The Director General of the proper Office confirms the fulfilment by a given Civil Service employee of conditions specified under Article 4, items 1-3 and Article 28.

Article 31

1. The Head of Civil Service, under the reservation in Article 30 Section 2, shall run the qualification procedure for Civil Service employees applying for nomination.
2. In order to complete the qualification procedure, the Head of Civil Service shall appoint a team of at least 5 members.
3. In the course of the qualification procedure knowledge, qualifications and predisposition necessary for executing Civil Service tasks shall be tested.
4. Results of the qualification procedure shall be expressed in scores.
5. Additional scores shall be allowed for:
 - 1) the results of the latest assessment, referred to in Article 73,
 - 2) knowledge of particular foreign languages,
 - 3) graduation from post-graduate studies,
 - 4) holding of an academic degree,
 - 5) particular professional qualifications.
6. The ultimate result of the procedure shall be the summary score referred to in Section 4 and 5.
7. Ultimate results of the qualification procedure, expressed by the score in excess of the minimum score defined in the Regulation by the Prime Minister, become ranked in the diminishing order.
8. Results of the qualification procedure, referred to in Section 7, shall be published in the Civil Service Bulletin.

Article 32

The Civil Service Council shall delegate their representative to observe the work of the testing team. In case of infringements on the qualification procedure principles, the Civil Service Council shall notify the Prime Minister and the Head of Civil Service of irregularities disclosed.

Article 33

In case of disclosing infringements on the qualification procedure, the Head of Civil Service shall manage to carry out another qualification procedure.

Article 34

A person taking the qualification procedure shall make a payment not to exceed 50% of the lowest employees' salary. The payment constitutes an income to the state.

Article 35

The knowledge, qualifications and predisposition necessary for the execution of the Civil Service tasks by graduates of the National School of Public Administration are tested in the course of their training at the School and confirmed with their graduation diploma.

Article 36

The Prime Minister shall define in the way of a Regulation the way to carry out the qualification procedure for the Civil Service, establishing:

- 1) subject scope of the qualification procedure,
- 2) the organisation and way to carry out the qualification procedure along with the detailed rules of allowing scores referred to in Article 31, Section 4 and 5,
- 3) the threshold score, referred to in Article 31, Section 7, not lower than 3/5 of the maximum possible score,
- 4) sorts of documents to confirm the fulfilment of conditions defined in Article 28 item 5 and Article 31 Section 5, items 2-5,
- 5) the amount and way of making the payment referred to in Article 34,
- 6) foreign languages referred to in Article 28 item 5 and Article 31 Section 5 item 2 along with the kinds of professional qualifications referred to in Article 31 Section 5 item 5.

Article 37

1. Nomination shall be made within the number limit referred to in Article 6 Section 1.
2. The Head of Civil Service shall nominate in the name of the Republic of Poland a Civil Service employee who has completed in a given year the qualification procedure with a score exceeding the score referred to in Article 31 Section 7 and has been awarded the place which will authorise him/her to be nominated or has graduated from the National School of Public Administration.
3. Achieving a place which will authorise him/her to be nominated indicates obtaining in the course of the qualification procedure at least the lowest score permitting to nominate all persons who have achieved that score without the necessity to exceed the limit referred to in Article 6 Section 1 Establishing the place which will authorise to be nominated occurs after taking into account the number of nominations for graduates of the National School of Public Administration.
4. On the day of nomination the recent employment relationship shall be converted into the employment relationship based on nomination.

Article 38

1. The act of nomination of the Civil Servant shall comprise the first name and family name of the Civil Servant and the date of appointment.
2. The act of nomination shall be drawn up in writing.

Article 39

1. The Civil Servant shall take the following ceremonial oath:
"I shall serve the Polish State, observe the Constitution of the Republic of Poland, fulfil the obligations of a Civil Servant conscientiously and impartially, in accordance with best knowledge and will".
2. The Civil Servant can expand the ceremonial oath referred to in Section 1 with the words „*And so help me God.*”
3. The Civil Servants shall confirm the taking of an oath with his/her signature.

Article 40

1. The Director General of Office shall award the lowest service grade, which he/she has been allowed 7 days of the nomination day.
2. Awarding the service grade shall be done in writing.

Chapter 4 - Staffing Senior Positions in the Civil Service

Article 41

1. The positions of:
 - 1) The Secretary of the Council of Ministers, Director General of Office,
 - 2) Director of Department (or an equivalent unit) and his/her deputies in Offices referred to in Article 2 Section 1 items 1, 2 and 4, and Director of Division (or an equivalent unit) and his/her Deputies in the Voivodship Office are classified as senior positions in the Civil Service.
2. Staffing of vacancies referred to in Section 1 shall occur by way of a competition.

Article 42

1. Any Civil Servant can apply for senior positions in the Civil Service.
2. If in case of two competitions held to staff the position referred to in Article 41 Section 1 item 2, no candidate from among Civil Servants becomes selected, persons who are not Civil Servants shall be allowed to take part in the subsequent competition.
3. The Head of Civil Service may agree to allow persons who are not Civil Servants to take part in the competition to staff the position referred to in Article 41 Section 1 item 2, if particular experience or professional skills are necessary to perform work in that position. Regulations contained in Article 48 Sections 2 and 3 respectively are applicable.

Article 43

1. Competitions to staff senior positions in the Civil Service shall be run by the Head of Civil Service.
2. In order to hold such competition the Head of Civil Service shall appoint a competition committee composed of at least 5 persons.

3. In the course of the competition the knowledge necessary to perform work in the position for the staffing of which the competition is held, shall be tested along with predisposition, general ability and managing skills. Requirements concerning to the position for the staffing of which the competition is held, shall be defined by the person in charge of running the competition in consultation with the proper minister, head of central office or voivode.

Article 44

1. Competitions to staff vacancies in senior positions referred to in Article 41 Section 1 shall be announced by the way of placing announcements in the Civil Service Bulletin, in accordance with requirements defined in Article 22 Section 2.
2. Any person that meets the requirements defined in the announcement can take part in the competition.
3. The Head of Civil Service shall notify the Directors General of Offices about competitions announced. Directors General of Offices shall circulate information regarding competitions in the Offices which they manage.

Article 45

Persons who take part in the competition can appeal against its result to the Head of Civil Service.

Article 46

1. The Civil Service Council may delegate their representative to observe the course of each competition held to staff senior positions in the Civil Service.
2. In case infringements on the principles of running such competition are disclosed, the Civil Service Council can approach the Head of Civil Service with a motion to hold another competition.

Article 47

In case infringements on the principles of running such competition are disclosed, the Head of Civil Service shall decide to hold another competition.

Article 48

1. The Civil Servant who has become selected by way of competition to staff the position referred to in Article 41 Section 1 item 1, shall be transferred to that position by the Prime Minister on request by the Head of Civil Service, after consultation with the proper minister, head of central office or voivode; the Prime Minister shall determine the level of his/her remuneration in this position.
2. The Civil Service corps member who has become selected by way of competition to staff the position referred to in Article 41 Section 1 item 1, shall be transferred to that position by the Head of Civil Service; the Head of Civil Service determines the level of his/her remuneration in this position.
3. Director General of Office concludes an employment contract with the person, who is not a member of civil service and who has become selected by way of competition referred to in Article 41 Section 2 for a limited period of time of no longer than 3 years. Early termination of the employment contract can be done at 2 weeks' notice.

Article 49

The Prime Minister shall define, by way of a Regulation, the way and detailed procedures to hold competitions to senior positions in the Civil Service, in particular establishing a list of requirements, the fulfilment of which will be decisive for allowing a candidate to take part in the competition and the stages of the competition.

Chapter 4 - **Alterations and Termination of Employment Contract within the Civil Service**

Article 50

1. If it is required by the Office needs, the Director General of Office is entitled to, transfer a Civil Servant to another position in the same Office, taking into account his/her professional qualifications.
2. The Civil Servant referred in section 1 shall keep his/her entitlement to his/her existing remuneration if it exceeds the remuneration to which he/she becomes entitled in the new position for the period of 3 months counted of the month in which he/she has been transferred to the new position. The level of the Civil Service benefit shall remain unaltered.
3. It is inadmissible to transfer to an Office in another location as provided under items 2 and 3 and without the consent of a Civil Servant - a pregnant woman or a person who is the sole custodian of a child of up to fifteen years of age. No such transfer can be ordered in case when particularly important personal or family reasons concerning the Civil Servant speak against such decision.
4. Transfers referred to in Sections 1 and 2 do not concern Civil Servants in positions referred to in Article 41 Section 1.

Article 52

1. The Head of Civil Service shall transfer a Civil Servant in post mentioned in Article 41 item 1 to another Office in the same location or with their acceptance to another location, or authorise the Director General of Office to indicate to him/her a different position in the case of:
 - 1) resignation from his/her position,
 - 2) him/her having been sentenced to a ban on occupying senior positions in the Civil Service,
 - 3) permanent disease of at least 6 months,
 - 4) liquidation of his/her position as a result of Office transformation.
2. The Prime Minister, acting on well-motivated request by the Head of Civil Service or proper minister, manager of a central office or voivode, accompanied by an opinion by the Head of Civil Service is entitled, when the interests of Civil Service so require, to transfer a Civil Servant in post referred to in Article 41 Section 1 item 1 to another Office in the same location, or with their acceptance to another location, or authorise the Head of Civil Service to indicate to him/her a different position.
3. The Head of Civil Service, acting on well-grounded motion by the Director General of Office, is entitled, when the interests of Civil Service so require, transfer a Civil Servant in post referred to in Article 41 Section 1 item 2, to another Office in the same location, or with their acceptance to another location, or authorise Director General of Office to indicate to him/her a different position.

Article 53

1. The transfer of a Civil Service to another Office, as well as to another location, upon the application of the Civil Servant or with his/her consent, may take place at any time, providing such decision does not adversely affect the interests of Civil Service.
2. The transfer referred to in Section 1 shall be made by the Director General of Office to which the Civil Service corps member is being transferred, in agreement with the Director General of Office where the Civil Service corps member is performing his/her duties.

Article 54

In case of liquidation of the Office where a Civil Service corps member is performing his/her duties or a transformation of such Office in a manner prohibiting further employment of that Civil Service corps member, the Head of Civil Service shall commission the Civil Servant to another Office, in the same as well as another location and commits the Director General of Office to indicate to the Civil Service corps member a position, taking into account their professional competence.

Article 55

1. In cases justified by public interests, the Head of Civil Service shall grant the Civil Servant, upon his/her application, leave without pay for the period of performing duties, assuming given position or performing functions outside the Civil Service.
2. The duration of leave without pay mentioned in item 1 shall be included - providing the accumulated duration of it does not exceed 5 years - into the period of employment serving as basis for determining the employment benefits of a Civil Servant.

Article 56

1. Civil Servants are entitled to appeal from decisions specified in Article 51, 54 and 55 to the Prime Minister within 14 days of the receipt of the decision.
2. Placing an appeal does not delay the execution of the said decision.
3. The decisions by the Prime Minister may be appealed from to the Supreme Court of Administration.

Article 57

1. The Head of Civil Service may, if particular interests of Civil Service demand so require, transfer the Civil Servant to inactive duty for a period of up to one year. If the circumstances justifying the transfer to inactive duty still be present after the lapse of such period, the Head of Civil Service may extend the Civil Servant's period of inactive duty by a limited period of time, but not longer than 6 months.
2. While in inactive duty, the Civil Servant shall not render any labour, but will maintain his/her rights to the Civil Service benefit and other benefits granted in the Civil Service.
3. The Civil Servant transferred to inactive duty shall be subject respectively to provisions under Article 72.
4. The Civil Servant transferred to inactive duty shall be obligated to undertake at any time the execution of service duties before the expiration of inactive duty by virtue of a summons from the Head of Civil Service.

5. The Director General of Office shall determine for the Civil Servant reassuming his/her duties after a period spent in inactive duty their work post, taking into account his/her professional competence.
6. Participation by a Civil Servant in inactive duty in a competition to staff a position referred to in Article 41 Section 1 requires obtaining permission from the Head of Civil Service.
7. The period of inactive duty shall be included into the period of employment determining the Civil Servant's employment benefits and rights.

Article 58

1. The employment contract of a Civil Servant under temporary arrest shall be suspended by virtue of law. During the suspension, the Civil Servant is entitled to half the remuneration he/she has been entitled to until the day of temporary detention.
2. In case of discontinuation of penal proceedings or acquittal, the Civil Servant shall be remitted the remaining part of his/her remuneration; the above does not apply to conditional discontinuance of lawsuit.
3. The period of inactive duty resulting from temporary detention shall be included into the period of employment determining the Civil Servant's employment benefits and rights.

Article 59

1. Shall disciplinary or penal proceedings be initiated against a Civil Service corps member, the Director General of Office may suspend him/her in his/her duties.
2. The period of suspension, mentioned under item 1, shall last until the termination of disciplinary or penal proceedings, but not longer than 3 months.
3. During the period of suspension, mentioned in item 1, the Civil Servant shall maintain his/her right to the remuneration and other rights and benefits vested in Civil Service.
4. The period of suspension shall be included into the period of employment determining the Civil Servant's employment benefits and rights.
5. Actions referred to in Section 1 shall be taken by the Head of Civil Service, should they concern the Secretary of the Council of Ministers and Director General of Office.

Article 60

Civil servant employment contract shall be terminated in case of:

- 1) refusal to take the oath,
- 2) resignation from the Polish citizenship,
- 3) legally valid adjudication of a disciplinary penalty of expulsion from Civil Service,
- 4) legally valid sentence of loss of civic rights or the rights to work as Civil Servant,
- 5) lapse of 3 months of Civil Servant's absence at work due to temporary detention,
- 6) providing the employment relationship has not been terminated earlier due to expulsion from Civil Service,
- 7) refusal to comply with the decision on transfer, mentioned under Article 35 or failure to undertake employment at the Office the Civil Servant has been transferred to in accordance with procedures outlined in Articles 35 or 37,
- 8) failure to execute Civil Servant's duties despite summons mentioned in Article 57 Section 4.

Article 61

1. The dissolution of employment contract of a Civil Servant may take place, with a three-month's notice, in case of:
 - 1) two successive negative assessments, as provided under Article 74 Section 1,
 - 2) occurrence a health condition incapacitating him/her to perform the duties of a Civil Servant, and confirmed by a statement issued by an adjudicating medical doctor at the Social Insurance Institution; that Civil Servant can be referred to the Social Insurance Institution for medical examination ex officio or at their own request,
 - 3) loss of impeccable reputation,
 - 4) penal proceedings extended over a period of over 3 months.
2. The dissolution of employment contract of a Civil Servant may take place, with a three-month's notice, in case of:
 - 1) the Civil Servant's reaching retirement age, providing the employment period is adequate to entitle him/her to retirement benefits at such age,
 - 2) refusal to undergo medical examination performed by an adjudicating medical doctor at the Social Insurance Institution,
 - 3) liquidation of the Office if transfer referred to in Article 54 proves impossible.
3. The dissolution of employment contract with a Civil Servant without notice may take place in case of his/her absence from work due to an illness lasting more than a year.
4. The dissolution of employment contract for reasons specified under Section 1-3 cannot violate the regulations providing for special protection of employees in the course of notice period for termination and dissolution of employment relationship.
5. The dissolution of employment contract may also take place by way of agreement between the parties or by way of a three-month notice in result of resignation from Civil Service.

Article 62

During the notice period, the Civil Servant may be relieved from fulfilling his/her duties while maintaining his/her right to remuneration.

Article 63

1. In case of dissolution of employment contract with a Civil Servant for reasons defined in Article 61 Section 2 item 3 in the period between the termination of employment in the Office under liquidation and assuming further employment or economic activity, the Civil Servant is entitled to a benefit from the state budget resources for a period not longer than 6 months, calculated as an equivalent for the annual leave. A Civil servant who has acquired entitlement to retirement benefits is not entitled to such benefit.
2. In case an ex-Civil Servant in the period referred to in Section 1 is in the receipt of an illness benefit or maternity benefit, the level of the benefit from the state budget becomes decreased by the respective amount.
3. The period in receipt of the benefit referred to in Section 1 shall be included into the period of employment determining the Civil Servant's employment benefits and rights and into the period of employment in the understanding of regulations on Social Insurance Fund for old age and special pensions regulations - on conditions which are observed when calculating the period of unemployment benefit receipts, defined in the legislation dealing with unemployment and counteracting unemployment. The Office will subtract from the state budget benefit the social insurance benefit in accordance with the principles provided for remuneration paid out under employment contract.

Article 64

1. The decision on dissolution of employment contract or statement on termination of employment contract shall be made by the Director General of Office regarding Civil Service corps members.
2. In relation to the Secretary of the Council of Ministers and Director General of Office actions referred to in Section 1 shall be taken by the Head of Civil Service.

Article 65

In case of transfer of a Civil Service corps member to another office, his/her personal file along with the remaining documentation dealing with the employment relationship shall be transferred to the Office where the Civil Service corps member is to be employed.

Article 66

Regulations contained in Article 60 and 61 do not apply to the Head of Civil Service and Deputy Head of Civil Service.

Chapter 6 - **Duties of Civil Service Corps Members**

Article 67

1. Civil Service corps members are obligated to act in accordance with the oath taken, and in particular to:
 - 1) obey the Constitution of the Republic of Poland and other regulations of the law,
 - 2) protect the interests of the State and human and civil rights,
 - 3) rationally manage of public resources,
 - 4) reliably, impartially, efficiently and timely perform their duties,
 - 5) maintain the State and professional confidentiality,
 - 6) develop the professional knowledge,
 - 7) behave in dignified manner in and out of service.
2. Director General of Office is obliged to secure to the Civil Service corps member proper conditions to perform tasks defined in the Law.

Article 68

1. Civil Service corps members are obliged to execute their professional duties ordered by their superiors.
2. Shall in the opinion of a Civil Service corps member the order be inconsistent with the law or display signs of error, he/she is obligated to notify the superior of such fact in writing. In case of confirmation of order in writing, the Civil Servant is obliged to execute it.
3. Civil Service corps members shall not execute orders if such actions will result in committing a crime or a delinquency, of which they immediately notify the Director General of Office.

Article 69

1. Civil Service corps members cannot be guided in executing their duties neither by their particular or group interests.
2. Civil Service corps members are not allowed to publicly manifest their political beliefs.
3. Civil Service corps members are not allowed to participate in strikes or actions of protest, which will interfere with the normal functioning of the Office.

4. Civil Servants are not allowed to perform functions within trade unions.
5. Civil Servants are not allowed to establish or participate in political parties.
6. Civil Servants are not allowed to combine employment with the Civil Service with the self-government councillors' status.

Article 70

1. Provision contained in Article 69 Section 2 does not apply to a Civil Servant on the unpaid leave granted to him/her in accordance with Article 55 Section 1 in connection with their applying to become a councillor for the duration of their election campaign, and in case of winning a mandate - for the period of its duration.
2. Provision contained in Article 69 Section 2 does not apply either to a Civil Service employee on the unpaid leave granted to him/her in accordance with Article 174 of the Labour Code in connection with his/her applying to become a councillor for the duration of his/her election campaign.

Article 71

No duty relationship is allowed to occur within the Civil Service between persons married to each other or remaining within family relationship up to second degree relationship, inclusive or within first degree propinquity relationship, as well as within the relationship of adoption, custody or guardianship.

Article 72

1. Civil Servants are not allowed to undertake additional employment without permission from the Director General of Office, or to perform activities or actions contradictory to the duties of a Civil Servant or undermining the confidence in the Civil Service.
2. Civil Servants cannot take additional employment without permission from the Director General of Office.

Article 73

1. Civil Servants are subject to continuous assessment by their direct superiors in the scope of execution of tasks vetted in them, as well as for determining the programme for professional up-grading.
2. The Director General of Office is assessed by the Head of Civil Service in agreement with the proper minister, head of central office or voivode. The Secretary of the Council of Ministers is assessed by the Prime Minister.

Article 74

1. Periodical assessment of Civil Servant, including conclusions concerning his/her professional career, shall be made in writing by direct superior no less than once every 2 years or at any time upon the motion of direct superior.
2. The assessment referred to in Section 1 shall concern performance of tasks by the Civil Servant, which ensue from his/her job description. It shall be promptly delivered to the Civil Servant.
3. The Prime Minister by way of a Regulation shall determine detailed principles to carry out assessments of Civil Servants.

Article 75

1. Civil Servants are entitled to appeal from the negative assessment to the Director General of Office within 7 days of the receipt of such assessment.
2. In case of a fail to consider the appeal referred to in Section 1 by the Director General, the Civil Servant is entitled to appeal to the Court of Labour within 14 days of the receipt of such decision by the Director.

Article 76

Upon negative assessment, Civil Servants are subject to successive assessment not earlier than 6 months of the receipt of the assessment.

Article 77

Regulations contained in Article 73-76 do not apply to the Head of Civil Service and the Deputy Head of Civil Service.

Chapter 7 - **Rights of Civil Service Corps Members**

Article 78

The remuneration of Civil Servants shall be established using multipliers of forecast average wages in State Budget sector.

Article 79

1. For Civil Servants are established 9 official grades.
2. Levels of Civil Service premiums awarded by the grade are associated with service grades.

Article 80

1. Civil Service employee's pay shall comprise the basic salary envisaged for a given job and a premium for many-year duration of employment with the Civil Service.
2. Civil Servant's pay shall comprise the basic salary envisaged for a given job, a premium for many-year duration of employment with the Civil Service, and a Civil Service premium based on the grade held.
3. The Prime Minister shall determine by way of a Regulation:
 - 1) multipliers for determination of the basic salary of Civil Service members,
 - 2) service grades for Civil Servants and multipliers for Civil Service premiums.

Article 81

1. A Civil Servant is entitled to be granted for a higher service grade upon achieving a positive assessment mentioned in Article 74 Section 1, provided it is furnished with a motion by the direct manager for the earlier granting of a higher grade to the Civil Servant. A positive assessment not furnished with such motion does not result in the granting of a higher grade to the Civil Servant.
2. Upon request by the Director General of Office justified with a special performance by the Civil Servant, the Head of Civil Service may give his/her permission for the earlier granting of a higher grade, yet no earlier than 12 months of granting of the currently held grade.
3. The period specified under item 2 shall not start, and shall be suspended if started, until:
 - 1) the acquisition of positive assessment - in case of negative assessment of performance,
 - 2) reassuming the duties - in case of suspension in duties.

Article 82

1. The Civil Service corps members shall be granted bonuses for long-term employment with the Civil Service to the amount of 5% of basic monthly remuneration after 5 years of work. That addition is raised by 1% for each subsequent year in employment up to the level of 20% of basic monthly remuneration.
2. The duration of employment of the Civil Servant shall be determined basing upon the confirmed periods of executing works within the framework of employment relationship and other periods included into the period of employment, if by virtue of separate provisions they are included into the period which determines employees rights and benefits.
3. Periods of employment, referred to in Section 2 do not include periods of employment with the communist party (the Polish Workers' Party and the Polish United Workers' Party), as well as in state security units in the understanding of Article 2 of the Law of Disclosure of Employment or Service with the State Security Units or Collaboration with those in 1944-1990 by Persons in Public Functions in the Period between 22 July 1944 to 1 July 1989 of 11 April 1997 (see the Journal of Law from 1999 No 42 item 428).
4. The Prime Minister shall determine, by way of a Regulation, detailed principles of granting and paying out of the bonus referred to in Section 1.

Article 83

1. The Civil Service corps members shall be granted Anniversary Bonuses for long-term work to the amount of:
 - 1) after 20 years of work – 75% of monthly remuneration,
 - 2) after 25 years of work – 100% of monthly remuneration,
 - 3) after 30 years of work – 150% of monthly remuneration,
 - 4) after 35 years of work – 200% of monthly remuneration,
 - 5) after 40 years of work – 300% of monthly remuneration,
 - 6) after 45 years of work – 400% of monthly remuneration.
2. The duration of employment of Civil Servant referred to in Section 1 shall be determined basing upon the confirmed periods of executing works within the framework of employment relationship and other periods included into the period of employment, if by virtue of separate provisions they are included into the period which determines employees rights and benefits.
3. Periods of employment, referred to in Section 2 do not include periods of employment with the communist party (the Polish Workers' Party and the Polish United Workers' Party), as well as in state security units in the understanding of Article 2 of the Disclosure of Employment or Service with the State Security Units or Collaboration with those in 1944-1990 by Persons in Public Functions in the Period between 22 July 1944 to 1 July 1989 Act of 11 April 1997 (see the Journal of Law from 1999 No 42 item 428).
4. The Prime Minister shall determine, by way of a Regulation, detailed principles of granting and paying out of the anniversary bonus.

Article 84

Civil Service corps members are entitled to an additional annual remuneration in accordance with principles stated in separate regulations.

Article 85

1. Civil Service corps members for particular achievements in professional work can be granted an award from a Reward Fund for Civil Servants, established especially for that purpose.
2. The Reward Fund for Civil Servants referred to in Section 1, amounting to 3% of planned individual remuneration shall remain at the disposal of the Directors General of Offices and may be increased by them within the limits of allocated remuneration funds.

Article 86

1. Civil Service corps members dispatched to perform their professional duties outside the area of operations of their Office of employment are entitled to benefits remitted to the amount and basing upon regulations concerning employees on duty trips by virtue of the Labour Code.
2. Civil Servants transferred in accordance with provisions under Article 35, items 2 and 3, Article 36, item 1 or Article 37, apart from provision of living quarters appropriate for their family situation, are entitled to a refund of the costs of transfer, refund of charges for temporary living quarters and a single benefit to the amount of triple monthly remuneration. The costs of transfer shall include the travelling costs of the Civil Servant and his/her family and the hauling of his/her property.
2. The Prime Minister will determine by way of a Regulation detailed conditions for awarding benefits referred to in Section 2, to which a Civil Servant is entitled when transferred to work in another location.

Article 87

1. Civil Servants, whose employment contract ceased in result to retirement or acquisition of pension rights in result to loss of ability to work, are entitled to a single allowance to the amount of triple monthly remuneration, and if the Civil Servant has been employed for a period of at least 20 years, the single allowance shall be granted to the amount of six times the monthly remuneration.
2. The duration of employment referred to in Section 1 shall be determined basing upon the confirmed periods of executing works within the framework of employment relationship and other periods included into the period of employment, if by virtue of separate provisions they are included into the period which determines employees rights and benefits.
3. Periods of employment, referred to in Section 2 do not include periods of employment with the communist party (the Polish Workers' Party and the Polish United Workers' Party), as well as in state security units in the understanding of Article 2 of the Disclosure of Employment or Service with the State Security Units or Collaboration with those in 1944-1990 by Persons in Public Functions in the Period between 22 July 1944 to 1 July 1989 Act of 11 April 1997 (see the Journal of Law from 1999 No 42 item 428).
4. The allowance referred to in Section 1 is calculated as a monetary equivalent to an annual leave.

Article 88

1. Civil Servants employed for at least 10 years in the Civil Service are entitled to an additional holiday leave of 6 working days, and after 20 years of employment in the Civil Service - of 12 working days.

2. Period of employment with the state administration is included to the period, which serves as the basis for the entitlement of the additional holiday.

Article 89

During absence from work due to incapacitation in result to illness Civil Servants are entitled for a period of one year to remuneration and a sick benefit to the amount and on principles determined under separate provisions.

Article 90

1. Civil Servants employed in the Civil Service for a period not shorter than 10 years can be granted paid leave for recuperation for a period not longer than 6 months at a time.
2. The recuperation leave cannot be granted to Civil Servants who have been absent from the service for a period of one year due to incapacitation resulting from illness.
3. The Director General of Office shall grant the recuperation leave upon an application of Civil Servant confirmed by a medical opinion.
4. The Director General of Office shall not allow the Civil Servant who has taken advantage of such leave to resume his/her duties without a valid medical opinion, confirming the lack of counter-indications for reassuming work in a given position.
5. The recuperation leave and permission for the Civil Servant who has taken advantage of such leave to resume his/her duties shall be granted in relation to the Head of Civil Service and the Secretary of the Council of Ministers - by the Prime Minister, and in relation to the Directors General of Offices - by the Head of Civil Service. Provisions under Section 4 apply respectively.
6. Period of employment with the state administration is included to the period, which serves as the basis for the recuperation entitlement.

Article 91

1. Shall the employment contract of a Civil Servant be terminated in result to temporary arrest, the Director General of Office where the Civil Servant has been employed will be obliged to re-employ him/her, taking into account his/her professional competence, in case of discontinuation of legal proceedings or acquittal, and the Civil Servant announced his/her return to work within 7 days from enactment of the adjudication.
2. Provisions under item 1 shall apply respectively in case of termination of employment of a Civil Servant for reasons defined in Article 61 Section 1 item 4.
3. Provisions under item 1 shall not apply in case the legal proceedings were discontinued due to prescription or amnesty, as well as in case of conditional discontinuation of proceedings.
4. Shall the Civil Servants mentioned under item 1 be refused re-employment in the Civil Service, they are entitled to appeal to the Head of Civil Service within 14 days from the receipt of decision on this issue. The decisions by the Head of Civil Service can be appealed against at the Court of Labour.

Article 92

1. The working hours of Civil Service corps members cannot exceed the limit of 8 hours daily and the average of 40 hours per week, within a given clearance period of no more than 8 weeks.

2. In cases justified by the type and organisation of work, work schedules can be applied, allowing the work time to be extended to 12 hours per day. In such cases, however, the total work time cannot exceed the average of 40 hours per week within a given clearance period of no more than 12 weeks.
3. The Director General of Office shall determine the weekly and daily work schedules in accordance with the principles established by the Prime Minister by way of a Regulation. Weekdays that are not working days in the Office shall not be counted into the holiday leave.
4. Shall the needs of Office demand so, Civil Service corps members can be ordered by their superior to be employed outside normal office hours, and in exceptional cases also at night-time and on Sundays and holidays. The Civil Service employee is entitled to an equivalent number of free hours for working outside office hours. When ordered to do so by his/her superior.
5. On motion by the Civil Servant the free time can be granted in the period immediately preceding or following the holiday leave.
6. A Civil Servant is entitled to free time in an equivalent number of hours for the work done at night outside normal office hours.
7. For the work done on Sunday a Civil Servant is entitled to a day off work in the following week, and for the work done on a holiday - another day off work.
8. Provisions under items 2 and 3 shall not apply to pregnant women and - without their consent - to Civil Servants providing care to persons in need of constant care and Civil Servants taking care of children up to 8 years of age.

Article 93

1. A Civil Service corps member is entitled to pension and old age pension benefits in accordance with the principles dealing with pensions and old age pensions granted from the Social Insurance Fund.
2. In case of termination of employment contract with a Civil Service employee as a result of liquidation of the Office, that employee is entitled to an old age pension provided the man is 60 years old, or the woman - 55, and they can prove the required duration of employment.
3. Regulation in Section 2 applies to people born before 1 January 1949.

Article 94

The Prime Minister, taking into account particular nature of tasks performed and the conditions of performance thereof, may define by way of a Regulation:

- 1) special entitlements in the field of remuneration and other benefits allowed to some categories of Civil Service corps members along, with the principles of granting and the level thereof,
- 2) other additions to remuneration, apart those provided for in the Law,
- 3) if such benefits and additions were provided for in regulations binding on the day of the enactment of this Law.

Article 95

Civil Service corps members employed as curators of education or in jobs which require teaching qualifications, have entitlements defined in Article 30, 31, 32 Section 3, Article 33, 36, 46, 51, 58-60, 86, 88 and 90 of the Teacher's Charter of 26 January 1982 (see the Journal

of Law from 1997 No 56 item 357, from 1998 No 106 item 668, No 162 item 1118), and the period of employment in those positions is included to the period of employment which determine teacher's rights and benefits determined in that Law.

Article 96

In accordance with the principles defined in separate regulations, Civil Service corps members are covered by protection envisaged for public officials.

Article 97

Regulations in Article 78-87 and Article 92 do not apply to the Head of Civil Service and the Deputy Head of Civil Service.

Chapter 8 - **Training and Development in Civil Service**

Article 98

1. Civil Service corps members take part in training in the Civil Service.
2. Training in the Civil Service includes:
 - 1) central training - planned, organised and supervised by the Head of Civil Service,
 - 2) general training - planned, organised and supervised by the Director General of Office,
 - 3) Civil Servant's individual professional development training program - planned, organised and supervised by the Director General of Office in consultation with the Civil Servant employed in a given Office,
 - 4) strategic management study designed for the Directors General of Offices,
 - 5) specialist training - planned, organised and supervised by the Director General of Office, and covering issues related to the tasks of an Office.

Article 99

1. The Head of Civil Service on an annual basis shall establish the plan of central training in the Civil Service.
2. The plan of central training includes in particular:
 - 1) training priorities involving Civil Service corps members,
 - 2) types of training of particular importance in a given year,
 - 3) other recommendations and information for persons who organise and supervise training in the Civil Service.
3. On establishing training programs the Head of Civil Service shall co-work in particular with the National School of Public Administration.

Article 100

1. The Director General of Office shall establish separately for each Civil Servant employed in the Office he/she manages an individual professional development program, which shall provide the basis for referring that Civil Servant to participate in training, taking into account in particular:
 - 1) assessment of that Civil Servant's work by his/her in line manager,
 - 2) perspectives of professional work performance by that Civil Servant,
 - 3) needs and opportunities of employment in the Office,
 - 4) Civil Servant's needs and opportunities established in the way of mutual agreements.

2. Individual professional development program for the Director General of Office is established by the Head of Civil Service. Regulation contained in Section 1 applies respectively.

Article 101

1. Participation by Civil Service corps members in training courses envisaged the Civil Service should be treated as equivalent to performing professional duties.
2. Civil Servants shall not remit any charges for participation in training courses for the Civil Service.
3. Civil Servants may, in exceptional cases and with the permission by the Director General of Office, have refunded the total (or one part) of the cost of participation in training courses other than anticipated for Civil Service.

Article 102

1. The Director General of Office may refer a Civil Service corps member with a legal educational background to legislative application. Mutual rights and duties of the Office and the Civil Service corps member related to the referral to a legislative application are defined in an agreement concluded between Director General of Office and the Civil Service corps member.
2. Legislative application is concluded with an exam.
3. The Prime Minister defines by way of a Regulation detailed principles and mode of holding and participation in the application, taking into account in particular: areas of the law which provide the basis for the development of the legislative application programme, conditions and mode of accepting participants in the application, also for persons who are not Civil Service corps members, the level of fees for participation in the application and the mode of making those payments, duties of applicants and their sponsors, detailed rules, conditions and stages of graduation permitting to take the exam concluding the application and the ways to hold it, the composition of the examination committee and a sample certificate to confirm the passing of the exam.

Article 103

The costs of training in the Civil Service shall be covered from following resources:

- 1) allocated in the budgets of individual Offices to finance general training and training under Civil Servant's individual professional development program and specialist training,
- 2) budget reserve allocated to Civil Service corps members for financing central training and the strategic management study.

Article 104

The Prime Minister by way of a Regulation shall determine detailed principles and conditions for the holding and execution of training in Civil Service, including in particular:

- 1) criteria to be met by entities entrusted with training delivery,
- 2) the way and conditions of assessing training delivered.

Article 105

Regulations contained in this chapter do not apply to the Secretary of the Council of Ministers, the Head of Civil Service and the Deputy Head of Civil Service.

Chapter 9 - The Disciplinary Liability of Civil Service Corps Members

Article 106

1. Civil Servants and Civil Service employees are liable to disciplinary penalties for violating the binding responsibilities of Civil Service corps members.
2. The disciplinary proceedings cannot be initiated after the lapse of 3 months of the day of acknowledgement by the Director General of Office of information on the violation of responsibilities by a Civil Servant or after the lapse of two years from the perpetration of such act. In case of violation of responsibilities of Civil Servant by the Secretary of the Council of Ministers or the Director General of Office, the deadline of 3 months for the initiation of disciplinary proceedings shall be counted from of the day of acknowledgement of such act by the Head of Civil Service.
3. Shall a Civil Service member be unable to present explanations due to his/her absence from work, the three-month deadline shall not start, or shall be suspended if already started, until the day the Civil Servant reports to work.
4. Shall the act perpetrated by a Civil Service member display the traits of a criminal act, its prescription cannot be earlier than provided under the provisions of the Penal Code.

Article 107

1. Disciplinary penalties applicable to Civil Servants include:
 - 1) reprimand,
 - 2) rebuke,
 - 3) depriving the Civil Servant for a period of two years of possibilities of promotion to or higher service grade,
 - 4) lowering of the his/her service grade in the Civil Service,
 - 5) ban on participating in competitions held to staff senior positions in the Civil Service for the period of 2 years,
 - 6) ban on holding senior positions in the Civil Service for the period of 2-5 years,
 - 7) expulsion from the Civil Service.
2. Disciplinary penalties applicable to Civil Service employees include:
 - 1) reprimand,
 - 2) rebuke,
 - 3) rebuke with a warning,
 - 4) rebuke with ban on promotion to a higher grade for the period of 2 years,
 - 5) lowering his/her grade,
 - 6) expulsion from employment in an Office.
3. Lawful decision on the penalty referred to in Section 2 item 6 causes the termination of employment relationship.
4. Lawful decision on the penalties referred to in Section 1 item 7 and Section 2 item 6 brings about ban on applying for employment in the Civil Service corps for the period of 5 years.

Article 108

1. For lesser violations of Civil Service corps member's responsibilities, the Director General of Office may punish the Civil Servant with a reprimand in writing. The punishment shall be preceded by explanatory proceedings.
2. A Civil Service corps member can within 7 days of imposing on him/her the penalty of reprimands place an objection with the Director General of Office.

3. In case of placing the objection referred to in Section 2, Director General of Office refers the case to the disciplinary prosecutor.
4. In case of violation of Civil Servant's responsibilities, mentioned under item 1, by the Secretary of the Council of Ministers or the Director General of Office, the reprimand shall be conferred by the Head of Civil Service. Regulations contained in Section 2 and 3 apply respectively.

Article 109

1. Disciplinary proceedings involving Civil Service corps members shall be examined by the following disciplinary commissions:
 - 1) in I instance - by the Office Disciplinary Commission,
 - 2) in II instance - by the High Disciplinary Commission of the Civil Service.

Article 110

1. The Office Disciplinary Commission shall be appointed by the Director General of Office from among the Civil Service corps members employed in the Office. If necessary, the Head of Civil Service may appoint a Disciplinary Commission for several Offices.
2. The Office Disciplinary Commission, in the number of at least 10 Civil Service corps members, including the Chairman and Deputy Chairmen shall be appointed for the period of 3 years.
3. The procedure of work of the Office Disciplinary Commission is defined in the regulations passed by the Commission and accepted by the Director General of Office.

Article 111

1. The High Disciplinary Commission shall be appointed by the Prime Minister on motion by the Head of Civil Service from among Civil Servants.
2. The High Disciplinary Commission in the number of at least 11 members shall be appointed for the period of 6 years. Members of the High Disciplinary Commission execute their duties until their successors become appointed.
3. The High Disciplinary Commission shall appoint the Chairman of the High Disciplinary Commission and Deputy Chairmen from among its members.
4. The procedure of work of the High Disciplinary Commission is defined in the regulations passed by the High Disciplinary Commission.
5. The Civil Service Office provides the servicing for the High Disciplinary Commission work.

Article 113

The Prime Minister shall determine by way of a Regulation the remuneration of the High Disciplinary Commission and the Office Disciplinary Commission members, taking the lowest employees pay as the basis for establishing the level of The Chairman's, Deputy Chairmen's and remaining Commission members' remuneration.

Article 114

1. The High Disciplinary Commission adjudicates appeals against pronouncements by the Office Disciplinary Commissions.
2. The disciplinary proceedings involving the Secretary of the Council of Ministers and Directors General of Offices shall be examined in the I and II instance by the High

Disciplinary Commission, while in II instance cases the entire Commission shall examine the case.

Article 115

Members of Disciplinary Commissions shall be granted sovereignty in the scope of disciplinary adjudication and shall not be bound by judgements of other organs applying the law, except for the exclusion of legally valid court decisions.

Article 116

1. The Disciplinary Commissions shall examine the cases in following composition:
 - 1) in I instance:
 - a) three members in case the disciplinary spokesperson requested the application of a penalty specified under Article 107, Section 1 items 1-4 and Section 2 items 1-3,
 - b) five members, if the Commission Chairman has legal education and the disciplinary spokesperson requested the application of a penalty specified under Article 107, Section 1, items 5-7 and Section 2 items 4-6.
 - 2) in II instance - five members, of which at least two shall have legal education, when subject to adjudication a penalty mentioned in Article 107, Sections 1 and items 5-7 and section 2 items 4-6 were moved for by the disciplinary spokes person.
2. The Chairman of the Disciplinary Commission shall appoint the bench and the date of the trial.
3. In cases regarding Civil Servants bench shall be chaired by a Civil Servant.

Article 117

1. The disciplinary spokesperson of Office shall be appointed by the Director General of Office from among the Civil Servants, and for disciplinary issues pertaining to the Secretary of the Council of Ministers and Directors General of Office-by the Head of Civil Service.
2. The disciplinary spokesperson shall initiate explanatory proceedings upon the order by the Director General of Office or the Head of the Civil Service - in disciplinary cases, the Secretary of the Council of Ministers or the Director General of Office - and brief him/her on the findings. The spokesperson shall notify the person concerned on the proceedings initiated against him/her.
3. The spokesperson shall take the decision whether to deliver the motion for initiating the proceedings to the disciplinary commission or whether to discontinue the explanatory proceedings at the consent by the Director of Office.

Article 118

1. The Office Disciplinary Commission shall initiate the disciplinary proceedings on the day of filing by the disciplinary spokesperson of the request for examining the issue.
2. The defendant is entitled to assistance of a counsel for the defence he/she can select, providing the regulations on maintenance of statutory secrecy will be observed. Shall the disciplinary spokesperson request a penalty of expulsion from Civil Service, and the defendant failed to select his/her counsel for the defence, the head of judicial bench will appoint a counsel for the defence from among the Civil Servants.
3. The Disciplinary Commission shall issue its adjudication after a court session, in the course of which it will listen to the disciplinary spokesperson and the defendant and

his/her counsel, if such counsel has been appointed, and after the examination of other evidence of material importance to the case.

4. Unjustified absence of a Civil Servant or his/her counsel from the court proceedings shall not inhibit the proceedings.
5. The court session is open to public. Under justified circumstances, the judicial bench may take the decision to close the session, but the reading of the decision shall take place in open session.
6. The decision along with the reasons for the decision is delivered to both sides within 7 days of the announcement.
7. The parties are entitled to appeal from the decisions by the Office Disciplinary Commission to the High Disciplinary Commission within 14 days from receipt of the decision.

Article 119

1. Regulations contained in Article 118, Section 1-6 apply to proceedings before the High Disciplinary Commission.
2. The parties and the Head of Civil Service are entitled to appeal from the decisions of the High Disciplinary Commission to the Appeal Court in Warsaw.
3. Civil Code regulations referring to appeals apply to appeal adjudication.

Article 120

1. A copy of valid decision by the Disciplinary Commission shall be appended to the personal file of the Civil Servant.
2. Director General of Office executes punishments referred to in Article 107, Section 1 items 3-6 and Section 2 item 5 as soon as the decision becomes valid.

Article 121

1. The disciplinary punishments, specified under Article 107, Sections 1 items 1-5 and Section 2 items 1-5 shall be obliterated, and the copy of decision appended to the personal file of Civil Servant shall be destroyed after the lapse of 3 years from the receipt of valid decision on administering the penalty. Upon motion filed by the Civil Servant in question, the obliteration may take place after 2 years.
2. Shall in the period before the obliteration of a disciplinary penalty the Civil Servant be again subjected to disciplinary penalty, the deadline of 3 years mentioned in item 2 shall be counted from the day of receipt of valid decision on administering the successive penalty.
3. In case of disciplinary penalties specified under Article 107 Section 1 items 6 and 7, the obliteration and destruction of the copy of decision shall take place 5 years after the receipt of a valid decision on punishment. The date of elapse of the period for which the punishment was decided, or the period referred to in Article 107 Section 4.

Article 122

In proceedings upon matters not regulated in this Chapter before disciplinary commissions regulations of the Penal Code apply respectively.

Article 123

1. The cost of counsel of the defence chosen by the defendant, who is not a Civil Service corps member, is born by the defendant.
2. The cost of experts appointed by the Disciplinary Commission along with the cost of expert's opinion commissioned by the Commission is covered by the Office in which the Disciplinary Commission is active.

Article 124

Regulations contained in this Chapter do not apply to the Head of Civil Service and the Deputy Head of Civil Service.

Chapter 10 - Amendments to Binding Regulations

Article 125

In the Law on the State Labour Inspection of 6 March 1981 (see the Journal of Law from 1985 No 54 item 276, from 1989 No 34 item 178, from 1996 No 24 item 110, No 106 item 496, and from 1998 No 113 item 717, No 162 item 1126) Article 26 is deleted.

Article 126

In the Law on Employees in State Offices of 16 September 1982 (see the Journal of Law from 1984 No 31 item 214, No 35 item 187 from 1988, No 19 item 132 from 1989, No 4 item 24, No 34 items 178 and 182 from 1990 No item 121, from 1991 No 55 items 2,3,4 No 88 item 400, No 95 item 425, from 1992 No 54 items 2,5,4, No 90 item 451, from 1994, No 136 item 704, from 1995, No 132 item 640, from 1996, No 89 item 402, No 106 item 496, from 1997 No 98 item 604, No 133 items 822 and 883, No 141 item 943, from 1998 No 131 item 860, No 155 item 1016, No 162 item 1118) the following amendments are introduced:

1) to Article 1:

- a) the old content becomes Section 1, and items 3a-5 and item 11³⁾ become deleted,
- b) Section 2 in the following wording is added:

„2. The Law defines the duties and rights of persons employed in

- 1) The Chancellery of the Prime Minister,
- 2) Offices of ministers and chairmen of committees included into the Council of Ministers and central organs of the Government administration,
- 3) voivodship offices and other offices which constitute the supportive apparatus to field organs of the Government administration, subordinate to ministers or central organs of the Government administration,
- 4) the Government Centre for Strategic Studies,
- 5) stations, inspection offices and other structural units which constitute support apparatus to managers of joined services, inspections and voivodship guards and managers of poviat services, inspections and guards’,
- 6) ⁴⁾,
- 7) ⁴⁾,

to which the regulations contained in the Law on the Civil Service of 18 December 1998 (see the Journal of Law from 1999 No 19 item 483) do not apply”,

2) Article 7¹.1. will read:

„Article 7¹.1 The manager of the office may refer a servant with legal educational background to participate in a legislative application. Mutual rights and obligations of the office and the servant, connected with the referral to participate in a legislative application are defined in an agreement between the manager of the office and the servant.

2. The legislative application is concluded with an exam.
3. Detailed rules and mode to hold and take part in an application are defined in separate regulations”.
- 3) Article 24¹ is cancelled;
- 4) to Article 48:
 - a) Section 1:
 - in the opening sentence the words of „Article 24¹” are cancelled, and the word „issue” is replaced with the word „issues”,
 - items 1 and 2 are cancelled,
 - b) Section 1a-1c is added in the following wording:
 - „1a. Regulations contained in Article 2 item 1, Article 7 Section 6 and Article 30 Section 1 do not apply to employees in offices referred to in Article 1 Section 1 items 1, 2, 6, 7, 9, 10, and 13. Managers of those offices are authorised to define
 - 1) positions in which employees have the status of state servants;
 - 2) a list of positions covered by administrative application, along with the rules and mode to take part in such application,
 - 3) weekly schedule of office hours and respective numbers on particular days of the week.
 - 1b. Within the limits of the payroll resources allocated in the budget acts, managers of offices referred to in Section 1a determine the regulations for allowing remuneration in the office. Such regulations for the Chancellery of the Sejm are approved by the Speaker of the Sejm, and for the Senate Chancellery - the Speaker of the Senate. Regulations contained in Article 21 Section 3, Article 22, Section 2, Article 23, Section 2 and Article 47¹ Section 3 do not apply.
 - 1c. An additional reward fund to award to state servants for particular achievements in professional activity, established on the grounds of Article 24 Section 2 in offices referred to in Section 1a, remains at the disposal of managers of those offices and may be increased by them within the limits of payroll resources allowed to them to fund the payroll.”
 - c) in Section 2 the words of „organs named in Section 1” are replaced with the words of „the organ named in Section 1 and the Speaker of the Sejm with reference to employees in the Sejm Chancellery, the National Elections Office, the State Labour Inspection and the Office of the General Inspector for the Protection of Personal Data, as well as the Speaker of the Senate with reference to employees of the Senate Chancellery and managers of offices named in Article 1 Section 1 items 6 and 7 with reference to employees in these offices”.
 - d) in Section 3 following the words of „in Section 1” the words of „and in Article 1 Section 1 items 1, 2, 6, 7, 9, 10, and 13”,
 - e) Section 4 is deleted.

Article 127

In the Law on the Ombudsman of 15 July 1987 (see the Journal of Law from 1991 No 109 item 471, from 1998 No 106 item 668) in Article 20:

- 1) in Section 5 the words of „taking into account Sections 6 and 7” are cancelled,
- 2) Sections 6 and 7 are cancelled.

Article 128

In the Law on Insurance Activity of 28 July 1990 (see the Journal of Law from 1996 No 11 item 62, from 1997 No 43 item 272, No 88 item 554, No 107, item 685, No 121 items 769 and 770, No 139 item 934 and from 1998 No 155 item 1015) in Article 82c:

1) Section 4 reads as follows:

„4. The Prime Minister shall define by way of Regulation the rules of remunerating Civil Service corps members who are employees in the State Office for Supervision of Insurance, the Spokesman for the Insured and the employees of the Spokesman for the Insured Office, taking into account remuneration levels in insurance institutions.”

2) following Section 4, Section 4a is added as follows:

„4a. The proper minister in charge of public finances defines by way of Regulation the rules of remunerating remaining employees of the State Office for Supervision of Insurance, the Spokesman for the Insured and the employees of the Spokesman for the Insured Office, taking into account remuneration levels in insurance institutions.”

Article 129

To the Law on the National School for Public Administration of 14 June 1991 (see the Journal of Law No 63 item 266, No 104 item 450, from 1996 No 106 item 496, from 1997 No 28 item 153) the following amendments are introduced:

1) in Article 1 Section 2 following the words of „prepares for public service” the words of „Civil Servants and” are added,

2) in Article 4:

a) in Section 1 the words of „who are graduates of university level schools” are replaced with the words of „who are under 32 and are holders of university level schools diplomas with an M. A. degree, or equivalent”,

b) Section 2 shall read as follows:

„2. The rules and mode to carry out the recruitment procedure, appoint members to the recruitment commission and the rules and mode of placing appeals against the results of such procedure are defined in the Statutes of the School”.

3) in Article 6 Section 2 following the word „servants” the words of „and other employees in public administration” are added.

Article 130

In the Law on the Electoral Regulations for the Sejm of the Republic of Poland of 28 May 1993 (see the Journal of Law No. 45, item 205, from 1995 No 132 item 640, from 1997 No. 47 item 297, No 70 item 443, No 88 item 534, No 98 item 604, No 121 item 770, No 141 item 943, and from 1999 No 41 item 412) in Article 73:

1) Section 4 the words of „Sections 5-7” are replaced with the words of „Section 7”,

2) Sections 5 and 6 are cancelled.

Article 131

In the Law on Construction of 7 July 1994 (see the Journal of Law No 89 item 414, from 1996 No 100 item 465, No 106 item 496, No 146 item 680, from 1997 No 88 item 554, No 111 item 726, from 1998 No 22 item 118, No 106 item 668, and from 1999 No 41 item 412) in Article 84:

1) Section 3 reads as follows:

„3. The Prime Minister shall define by way of Regulation the required qualifications and rules to remunerate Civil Service corps members employed with the Chief Office of Construction Inspection and the voivodship and poviats inspection offices of construction supervision”,

2) Section 4 is added, which reads as follows:

„4. The Council of Ministers shall define by way of Regulation the required qualifications and rules to remunerate the remaining employees employed with the Chief Office of Construction Inspection and the voivodship and poviats inspection offices of construction supervision”.

Article 132⁴⁾

Article 133

In the Law on the Common Health Insurance of 6 February 1997 (see the Journal of Law No 28 item 153, No 75 item 468, from 1998 No 117 item 756, No 137 item 887, No 144 item 929, and from 1999 No 45 item 439) in Article 151a:

1) Section 3 shall read as follows:

„3. The Prime Minister shall define by way of Regulation the required qualifications of Civil Service corps members employed with the Office of Supervision and the principles to remunerate them taking into account pay levels at the State Office for the Supervision of Insurance”.

2) Following Section 3 Section 3a is added as follows:

„3a. The Minister of Health and Social Welfare in agreement with the Minister of Finance and the Minister of Labour and Social Policy shall define by way of Regulation, qualifications required of the remaining employees of the Office of Supervision and the rules to remunerate them taking into account pay levels at the State office for the Supervision of Insurance”.

Article 134

From the Law on Customs Inspection of 6 June 1997 (see the Journal of Law No 71 item 449, and from 1998 No 137 item 886) Section 4 is deleted from Article 6.

Article 135

In the Law on Limits on Running Economic Activity by Persons Performing Public Functions of 21 August 1997 (see the Journal of Law No 106 item 679, from 1998 No 113 item 715, No 162 item 1126) in Article 2 items 1 and 2 the words of „Civil Servants” are replaced with the words of „Civil Service corps members”.

Chapter 12 - Interim and Final Provisions

Article 136

1. On the day of coming into life of the Law employees employed in positions defined in Article 2 become by virtue of the law Civil Service employees, with the reservation contained in Article 137.
2. Monthly remuneration of persons referred to in Section 1, determined in accordance with the regulations contained in this Law, cannot be lower than the monthly remuneration they have been in receipt of so far.

Article 137

1. The employment relationships established at the Government administration offices prior to the date of enactment of the Law by virtue of appointment on principles determined in the Law, mentioned in Article 88, shall remain in force no longer than until December 31,

2003, providing they have not been dissolved or have not expired earlier in accordance to provisions under this Law.

2. The employment relationships mentioned in item 1 as of the day of 1 January 2008 shall be transformed into employment relationships established by virtue of employment contract for unlimited period of time.

Article 138

1. Article 10 Section 1a, 1b and 5, Articles 13-16 and Article 27 Section 3 of this Law apply to employees employed on the grounds of nomination in accordance with the regulations contained in the Law on Employees in State Offices.
2. Persons dismissed from functions of state administration organ or another managing position in the state administration, who prior to their nomination to that function or position used to be state servants appointed in accordance with the regulations contained in the Law on Employees in State Offices, become Civil Service employees and Article 45 Section 2 of the Law on Employees in State Offices applies to them.

Article 139

1. On the day of enactment of this Law Civil Servants, nominated on the grounds of regulations contained in the Law on Civil Service of 5 July 1996 (see the Journal of Law No 89 item 402, from 1997 No 106 item 679, from 1998 No 58 item 366, No 162 item 1126) gain the status of Civil Servants in the understanding of this Law.
2. Servants referred to in Section 1 are awarded the lowest grade in the Civil Service.
3. Regulations dealing with remuneration in the Civil Service, issued on the grounds of this Law, apply to Servants referred to in Section 1.
4. In case the remuneration of Servants referred to in Section 1 are lower than the remuneration they were entitled to before, for the period of 3 months of the enactment of this Law they are paid an bonus to the amount of the difference between their old entitlement and their current remuneration.

Article 140

Until the enactment of the Law referred to in Article 2 Section 4 the regulations of this Law apply to Civil Service corps members employed in diplomatic and consular service with amendments and insertions ensuing from executory regulations issued on the grounds of the Law on Employees in State Offices.

Article 141

Regulations of this Law apply to Civil Service corps members employed with customs administration with amendments and insertions ensuing from executory regulations issued on the grounds of Article 47 of the Law on Employees in State Offices.

Article 142

Regulations issued on the grounds of the Law on Employees in State Offices before the day of enactment of this Law stay in force until the issuance of regulations referred to in Article 48 in the wording determined by this Law.

Article 143

1. Regulation contained in Article 28 item 2 does not apply to Civil Service employees who on the day of enactment of this Law have had an at least 2-year duration of employment with the public administration.
2. Within the period of 2 years from the enactment of the Law, employment with public administration will be counted as and included into the period of duration of employment with the Civil Service.

Article 144

1. In the period of 5 years of the enactment of this Law persons who are not Civil Servants may apply for positions referred to in Article 41 Section 1.
2. The Prime Minister shall conclude employment contracts with persons who are not Civil Servants, applying for positions referred to in Article 41 Section 1.
3. Regulations contained in Article 48 apply respectively to persons who are not Civil Servants, applying for positions referred to in Article 41 Section 1 item 2.

Article 145

1. Employment relationship of persons who on the day of enactment of this Law hold the positions of the Head of the Civil Service, Secretary of the Council of Ministers and Director General of Office, entrusted with them on the grounds of Article 93 of the Law on the Civil Service of 5 July 1996 by virtue of the Law becomes converted into the employment relationship based on nomination, counted from the day of staffing a given position in accordance with the rules provided for in this Law, however, no longer than for the period of 2 years of the day of enactment of this Law.
2. The Head of Civil Service and the Secretary of the Council of Ministers are dismissed by the Prime Minister, and Director General of Office - by the Head of Civil Service.
3. Regulations applying to Civil Servants contained in this Law apply to persons referred to in Section 1.
4. The Head of Civil Service performs actions referred to in Article 31 Section 3 and Article 40 Section 1 versus the Secretary of the Council of Ministers and Director General of Office.

Article 146

1. Person holding the position of the Head of Civil Service entrusted to him/her on the grounds of Article 93 of the Law on the Civil Service of 5 July 1996 may apply for nomination for the Civil Service to the Prime Minister within 1 month of the enactment of this Law.
2. The nomination of the person referred to in Section 1 is performed by the Prime Minister in the name of the Republic of Poland.

Article 147

1. Within 2 years of the day of enactment of this Law the High Disciplinary Commission may proceed with the participation of Civil Service employees.
2. In the period referred to in Section 1 the function of the Disciplinary of the Office may be held by a Civil Service employee.

Article 148

1. The Prime Minister shall nominate 4 members of the Civil Service Council for the initial term of the Civil Service Council, referred to in Article 15 Section 2, for 3 years, and the remaining 4 members - for 6 years.
2. The Prime Minister shall nominate members of the Civil Service Council referred to in Article 15 Section 2 for the period left until the termination of the term of the Sejm elected on 21 September 1997.

Chapter 13 - **Final Provisions**

Article 149

The Law on Civil Service of 5 July 1996 (see the Journal of Law No 89 item 402, from 1997 No 106 item 679, and from 1998 No 58 item 366, No 162 item 1126) loses power.

Article 150

The Law shall come into force within 1 month after the announcement.

Following Articles:

- Article 2, Section 1 items 6-7,
- Article 20, Section 4,
- Article 126, item 1a), and item 1b) points 6-7,
- Article 132,

are cancelled or changed as incompatible with Article 153 of Constitution on the ground of Decision of the Constitutional Court of 28 April 1999.