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*Abstract of the doctoral dissertation*

*Professions of public trust in social market economy*

The main objectives of the dissertation were to formulate a definition of the profession of public trust and to determine the impact of the social market economy on the scope of permissible economic rationing of professional activity of persons performing professions of public trust.

The need to formulate a definition of the profession of public trust is justified due to the use of this term by the legislator in Article 17(1) of the Constitution of the Republic of Poland without indicating the constitutive elements of such term. Both the jurisprudence and doctrine emphasize the special character of professions of public trust, indicating that their performance has a significant impact on the proper functioning of the whole society. Therefore, the professional activity of persons performing professions of public trust is subject to considerable economic rationing of the state, which is justified by the need to protect constitutional values such as life, health, property, security or public order.

The economic rationing mentioned above is defined in the doctrine as the restrictive activity of state authorities which aims to protect the collective economic interests against the individual interests of the entrepreneurs. The economic rationing in the above understanding is part of the concept of social market economy which is the current social and economic system of the Republic of Poland. Therefore, the second objective of the dissertation was to determine the permissible limits of rationing of taking up and carrying out professions of public trust in the conditions of social market economy.

In order to achieve the above research objectives, the elementary concepts of the profession and the right to exercise the profession, as well as the concepts of regulated profession and liberal profession, were first discussed. The analysis of the above concepts made

it possible to determine the constitutive determinants of the profession of public trust and to formulate its current definition.

In the further part of the dissertation, issues related to the economic activity of persons performing professions of public trust were discussed. The issues of freedom of economic activity and its limitations were discussed here, as well as the concepts of economic activity and entrepreneur in the Act of 2 July 2004 on freedom of economic activity, which is no longer in force (Journal of Laws of 2017, item 2168) and the current Act of 6 March 2018 Law of entrepreneurs (Journal of Laws of 2018, item 646). Next, it was determined to what extent the freedom of economic activity is granted to persons performing professions of public trust, the issues characteristic of professional economic activity were discussed and the organizational and legal forms in which public trust professions may be performed were examined.

In the last chapter the concept of the social market economy and its determinants were discussed. It was also determined to what extent a person performing profession of public trust is entitled to freedom of economic activity and freedom to take up and pursue an occupation, and when these freedoms may be restricted. There was also indicated when and to what extent the legislator may deregulate professions of public trust in the social market economy. Moreover, the issue of dialogue and cooperation of social partners was discussed on the example of public trust professions, as well as the obligations of the state towards persons performing these specific professions.

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