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Summary of doctoral dissertation

"Model of permanent management in public law"

The permanent management of public real estate has a significant impact on legal reality and social life. Its importance is emphasized by the fact that it is applied to real estate for various purposes, ranging from roads, railways to schools and agricultural properties. Despite the importance of permanent management for the functioning of the state, it was rarely the subject of interest in the study of administrative law. The significant dispersion of regulations related to permanent management is also important, which hinders both theoretical research and the application of law in practice.

The purpose of the dissertation was primarily to determine the model of permanent management by indicating its permanent features, it is those that, regardless of the legal basis for the establishment, change or termination of permanent management, are common to all existing legal relationships in the examined area.

The second purpose of the hearing was to determine the legal nature of permanent management. In the literature, views are formulated according to which it is a legal relationship with a mixed, hybrid character.

The third purpose of the research was to consider the need to balance the legal position of the organizational unit which is the property manager in relation to the owner in relation to the property entrusted to it.

The fourth research objective was to analyze the need to create an Act on strategic investments that would consolidate existing legislation in the area of implementation of significant investments from the point of view of social needs.

The fifth research objective concerned the analysis of the need to maintain the institution of permanent management as a tool for managing public property. In order to achieve the research objectives indicated, an analysis of all legal acts regulating permanent management was carried out. The achievements of teaching administrative and civil law as well as judicial decisions have also been considered.

The prepared doctoral dissertation consists of an introduction, ending and six substantive chapters. The adopted order of research works begins from basic issues, through evolution, general provisions to detailed regulations.

In Chapter I., entitled *Introductory issues* were raised the most important issues and terms related to administrative law and real estate law, whose proper understanding is necessary for further research. Their importance for research required a separate and comprehensive discussion. Considering basic issues in parallel with the provisions of the Real Estate Management Act would make the dissertation less legible.

In Chapter II. entitled *The evolution of the legal conditions for the disposal of public real estate*, the evolution of the legal forms of ownership of public real estate, from 1918 until the entry into force of the Act on Real Estate Management, was discussed. The second chapter was divided into three parts due to the course of historical events and changes in systemic conditions.

Chapter III, entitled *Utilization and other issues in the area of civil law* concern regulations contained predominantly in the provisions of the Civil Code. Particular emphasis was placed on the provisions governing use, to which the Act on Real Estate Management refers. In Chapter III. also discussed were issues in the area of civil law that are relevant from the point of view of permanent management and other titles entitling to real estate were indicated.

In chapter IV entitled *Permanent management in the provisions of the Real Estate Management Act*, individual elements of permanent management were analyzed. They relate to its creation, content, change, and its cessation. In chapter IV. an analysis of the provisions constituting the normative model of permanent management was conducted, which, together with the relevant civil law provisions, are a reference point for further research on specific provisions that relate to the permanent management of public real estate.

In Chapter V. entitled *Permanent management in specific legislation* and in Chapter VI. entitled *Other provisions containing regulations regarding permanent management* were conducted to analyze the provisions on permanent management in specific acts. The basis for the division of specific legislation was the volume and scope of regulations.

In chapter V. the provisions of these acts have been analyzed, which significantly change the general provisions on permanent management. It mainly includes regulations regarding agricultural property of the Treasury and provisions regulating the creation of strategic infrastructure of the state.

In Chapter VI. provisions of these acts were included that change general regulations in the field of permanent management in a fragmentary manner or only in relation to individual issues. It mainly includes provisions creating and liquidating organizational units and provisions that do not have other common features other than references to permanent management.

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