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**Summary of the doctoral dissertation  
entitled "Regulated business activity. From freedom to rationing"**

The main research objective, closely corresponding to the title of the dissertation, was the answer to the question whether the introduction of the institution of regulated activity into the Polish legal order had the effect intended by the legislator in the form of expanding the scope of economic freedom and alleviating bureaucratic burdens for entrepreneurs. Intermediate issues in the form of an answer to the question whether regulated activity should be included at all within the regulatory function of the state and an attempt to specify the essence and special features peculiar to all regulated activities led to such a defined main goal.

The main research method adopted as part of this work was the dogmatic and legal method. In addition, theoretical-legal, historical-legal and comparative methods have also been applied.

For the effective implementation of the research assumptions presented, a work structure consisting of five chapters was created. The first chapter presents and characterizes the basic concepts of public commercial law, i.e. "economic activity" and "entrepreneur", as well as the basic principles of setting up and running a business. A special place in this chapter is devoted to economic freedom, recognized on the one hand as a constitutional principle, and on the other, as the individual's subjective right. The indicated considerations were conducted both on the basis of Polish and European law.

The second chapter presents general issues in the field of police and economic regulation, i.e. the most important, from the point of view of regulated activity, functions of economic administration. Its culmination is the characteristics of regulated activity as a legal institution and a review of doctrinal positions regarding its essence.

In the third chapter, the material conditions for undertaking and performing regulated activities understood as legal obligations of the entrepreneur were discussed in detail. The result of the research work was an attempt to classify and characterize them.

The fourth chapter, in turn, is devoted to the formal conditions for taking up and exercising regulated activities, where special emphasis has been placed on issues related to the functioning of registration bodies and the procedure for making entries in the register of regulated activities.

The last, fifth chapter concerns procedures and control and supervision bodies over the regulated activities. First, the basic concepts in this area were discussed, i.e. "control" and "supervision". Next, general legal regulations relating to the issue of controlling the entrepreneur's business activity have been characterized in order to move on to specific regulations relating to *strictly* for regulated activities.

As a result of the conducted research, it was found that regulated activity, despite taking away decision-making competences from economic administration bodies and substantially eliminating preventive control and preventive supervision, is a legal instrument of economic regulation and falls within the state's regulatory function.

In addition, the conducted considerations clearly showed that the nature and character of regulated activities are not determined by material conditions, as they are characterized by a large divergence and diversity, which means that there is no universal scheme for regulating them. Thus, the essence and specificity of regulated activity is determined by formal conditions, such as taking away the power of economic administration bodies to issue administrative decisions authorizing entrepreneurs to take up and perform a given type of economic activity, a simplified procedure of entry in the register and its nature, a statement on compliance with material conditions as a manifestation of entrepreneur's self-control and the right to take up business activity without obtaining an entry in the register in the event of tardiness of the registration authority. The specificity of regulated activity was also diagnosed in relation to the issue of exercising control and supervision over its implementation. In the case of regulated activity, the rule is the lack of prior control and supervisory activities at the stage of undertaking the activity and reliance by the registration authority only on the entrepreneur's self-control (declaration of compliance with material conditions).

Making the above-mentioned findings, as well as conducting an in-depth analysis of normative material and views of jurisprudence and doctrine, allowed the achievement of the main research goal of this dissertation. The answer obtained is not clear. On the one hand, taking away from the registration authority the decision-making competence to undertake the

regulated activity, significantly simplifying the procedure of entry into the register, the possibility of taking up regulated activity without entry in the register in the event of tardiness of the registration authority, or practically eliminating the possibility of applying preventive control procedures and preventive supervision, significantly facilitated the functioning of entrepreneurs at the stage of undertaking regulated activities. On the other hand, the analysis of the material conditions for undertaking and performing specific types of regulated activities leads to the conclusion that their scope, intensity and nuisance for entrepreneurs allows for the falsification of the thesis that replacing some of the permits with a legal institution of regulated activities will lead to a limitation of the sphere of economic regulation. It can thus be assumed, that as a result of the introduction into the Polish legal order of a legal institution of regulated activities, the scope of economic freedom of entrepreneurs only expanded in terms of formal requirements for taking up business. On the other hand, the scope, intensity and onerousness of material obligations imposed by specific provisions on the entrepreneur did not decrease, which means that in this aspect there was no extension of the scope of economic freedom.

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