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**Arkadiusz Myrcha**  
**84020121273**  
**ul. Mieczysława Orłowicza 12**  
**00-414 Warsaw**  
**Phone No. +48 533 840 201**  
**email: Arkadiusz.myrcha@gmail.com**

**Academic Board of the Faculty of Law  
of the SWPS University of Social Sciences and  
Humanities**

### **ABSTRACT**

This thesis aims to comprehensively describe the legislative procedure of the Polish Parliament from both the theoretical and the empirical perspective. Such approach is necessary in view of the complexity of the law-making process, which is on the one hand governed by statute, in particular the Polish Constitution, relevant laws, and the Rules of Procedure of the Sejm and of the Senate, and on the other shaped by decisions of the Polish Constitutional Tribunal and parliamentary custom.

A particular focus is placed on the developments in the Polish parliamentary practice after 2015. Recurring abuses of power have led to a marked deterioration in the law-making standards. Under such circumstances, legislation has been increasingly enacted without conducting a proper parliamentary debate, which should be the mainstay of any due legislative procedure. Accordingly, this study seeks to examine the provisions of law defining the status and rights of each participant in the law-making process and to explore the ways of ensuring the constitutionality of statutory enactments. The discussion of the latter question is in particular informed by judgments of the Constitutional Tribunal, which has repeatedly held that the constitutionality of a statute depends not only on its content but also on the manner in which it is enacted.

In line with its primary purpose, this thesis is also intended to clarify the following issues:

- a) What is the bearing of parliamentary custom and practice on the law-making process?
- b) How does compliance with the rules of procedure and other applicable laws and regulations affect the quality of legislation?
- c) Do participants in the legislative procedure enjoy the same rights and statutory safeguards and have available the same remedies?
- d) To what extent can the Constitution, applicable statutes, and rules of procedure protect the legislative procedure against being perverted to serve the political ends of the parliamentary majority?
- e) To what extent can the rules of procedure, other provisions of law and custom governing and shaping the legislative procedure ensure the constitutionality of parliamentary legislation?

Based on research into, *inter alia*, the evolution of the legislative procedure, its current conduct, relevant constitutional principles, parliamentary practice and custom, the rights and statutory safeguards afforded to participants in the legislative procedure, and the influence of the parliamentary majority on the quality of legislation, this thesis further thoroughly analyses key law-making issues, formulates certain conclusions, and postulates specific legislative solutions (*lex ferenda*). The primary research methods applied to that end include historical, comparative, doctrinal, and theoretical research.

Despite the formal stability of the underlying legal framework, issues concerning the enactment of laws and the legislative procedure in Poland remain current and require continuous research. The ever changing political reality clearly affects parliamentary custom and practice. These, in turn, may bear on law-making processes to such an extent that existing formal rules of procedure, statutory safeguards, and remedies become inadequate and/or ineffective.