In modern times there is a widespread conviction that every state should be prepared for extraordinary circumstances that may pose a threat to the security of the state, including the democratic system, as well as the security of its citizens. Therefore, the constitutions of democratic states define situations referred to as “states of emergency”, the occurrence of which justifies the introduction of an extraordinary legal regime. Often these measures include restrictions on the exercise of certain individual rights and freedoms, as well as the conferment of specific powers on certain bodies (usually the executive branch) to combat the threat that has arisen. It is therefore important that all of these regulations are contained in constitutional norms and only developed in subordinate acts like statutes.

Key words: intellectual property, intellectual property courts, rights protection, dispute resolution, legal instruments, efficiency, digital transformation.

Summary

Androshchuk G. O. Specialized intellectual property courts in Poland and Ukraine: organization and functioning.

The digital transformation of the economy and society, the emergence of the latest technologies have made it important to effectively protect IP rights. The article examines the organizational and legal aspects of the organization and functioning of specialized IP courts in the judicial system in the Republic of Poland and Ukraine in the conditions of digital transformation, their role and legal and digital tools in the systematization and codification of legislation, protection of IP rights, common and different, positive and negative points. It is shown that for the purpose of handling cases in the field of IP, special units were created in the district courts in Gdańsk, Lublin, Poznań and Warsaw. The establishment and three years of operation of specialized IP courts in the Republic of Poland have proven their worth. Thanks to the specialization of judges, there was a significant acceleration of the consideration of cases and quick terms of their resolution - about 4 months. Confidence in IP courts has grown. At the same time, the institute of judicial experts is still weakly functioning. Therefore, the creation of an institute of technical experts is crucial for ensuring the proper functioning of specialized IP courts. The need to harmonize the practice of IP courts, the use of the institution of a preparatory meeting, as well as the availability of IP court decisions by publishing their depersonalized versions is noted. There is a question about increasing the number of IP courts (in particular, the creation in Wrocław and Kraków), reducing the appellate review of cases, which is about a year.

At the same time, the long process (more than six years) of the formation of the Supreme Court on IP issues in Ukraine negatively affects the state of consideration of cases in the field of IP and the justice system as a whole. However, despite the full-scale invasion of the Russian Federation into Ukraine, the courts continue to work as usual, ensuring, thanks to remote justice, the consideration of IP cases. The digital tools in the systematization and codification of legislation, protection of IP rights, common and different, positive and negative points. This contributes to the administration of justice in the conditions of war. With the start of the work of the National Intellectual Property and Innovation (IP Office), the work on the launch of the IP Court has been significantly intensified. The task is to speed up the process of formation and launch of the IP court, introduction of e-judiciary. The key to effective protection will be the launch of the “protective triad”: the IP court, the appeal mechanism, as well as alternative (out-of-court) dispute resolution methods. After all, an effective system of protection of IP rights in Ukraine is an integral component of its investment attractiveness in the post-war reconstruction and economic development of the state.

Key words: intellectual property, intellectual property courts, rights protection, dispute resolution, legal instruments, efficiency, digital transformation.

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The problem of states of emergency has also been noticed in the documents of international law. According to Art. 4 of the International Covenant on Civil and Political Rights, “In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under this Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16, and 18 may be made under this provision”. Provisions that cannot be limited concern, among others, the inherent right to life, freedom from torture, cruel, inhuman, or degrading treatment or punishment, and being subject to medical or scientific experimentation, slavery, being held in servitude, being imprisoned merely on the ground of inability to fulfill a contractual obligation, or the right to freedom of thought, conscience, and religion. Also, the Convention for the Protection of Human Rights and Fundamental Freedoms refers to derogation in times of emergency providing in art. 15 that “In time of war or other public emergency threatening the life of the nation any High Contracting Party may take measures derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with its other obligations under international law”. In both cases, some form of control has been provided. Any State Party to the Covenant availing itself of the right of derogation shall immediately inform the other States Parties, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. Further communication shall be made, through the same intermediary, on the date on which it terminates such derogation. Similarly, the Convention provides that any Contracting Party availing itself of the right of derogation shall keep the Secretary General of the Council of Europe fully informed of the measures which it has taken and the reasons therefor. It shall also inform the Secretary General of the Council of Europe when such measures have ceased to operate and the provisions of the Convention are again being fully executed.

In Poland, the issue of states of emergency was already present in the March Constitution of 1921. Also, the April Constitution of 1935 contained a separate chapter devoted to states of emergency. In the interwar period, there were two forms of a state of emergency: martial law and state of emergency. In addition to the general constitutional regulation, these issues were regulated by relevant laws. The 1952 Constitution of the People’s Republic of Poland provided only martial law, which was introduced on 13 December 1981. It was suspended on 31 December 1982 and lifted on 22 July 1983. The official reasons for the imposition of martial law were the deteriorating economic situation in the country, manifested by, among other things, the lack of supplies in the shops (including food) and the consequent rationing of many essential goods, as well as the threat to the country’s energy security given the approaching winter. De facto, however, it is recognised that the real reasons were the communist regime’s fears of losing power. From a legal point of view, the basis for the introduction of martial law was Article 33(2) of the Constitution of the People’s Republic of Poland, which stated: “The Council of State may impose martial law on part or all of the territories of the People’s Republic of Poland if the defence or security of the state so requires. For the same reasons, the State Council may declare partial or general mobilisation”. The Council of State was the only body entitled to decide on the imposition of martial law, and the Constitution of 1952 did not provide for any time limitation on its decision to do so. Special provisions concerning martial law were regulated by a decree of the Council of State, which had the force of a statute. Immediately after the abolition of martial law in 1983, the Constitution was amended to introduce two types of state of emergency – martial law, which could be imposed in the event of an external threat, and state of emergency, which could be imposed in the event of an internal threat. A corresponding law was also passed.

The current Constitution of the Republic of Poland adopted in 1997 devotes a separate Chapter XI (art. 228 – art. 234) to the issue of states of emergency, which provides for three types of states of emergency: martial law, state of emergency, and state of natural disaster. What is new compared to the previous regulations is the fact that a state of natural disaster has been recognized for the first time in Polish constitutional law. On the grounds of the new Constitution, a number of acts on states of emergency were also enacted: the act of 29 August 2002 on martial law and the competences of the Supreme Commander of the Armed Forces and the principles of his subordination to the constitutional authorities of the Republic of Poland, the act of 18 April 2002 on a state of natural disaster, the act of 21 June 2002 on a state of emergency, and the act of 22 November 2002 on the compensation of property losses resulting from the restriction, during a state of emergency, of the freedoms and rights of man and citizen.

As mentioned above, the Constitution of 1997 devotes the whole of Chapter XI to the states of emergency. A separate regulation contained in Art. 116 of the Constitution included in Chapter IV (“Sejm and Senate”) refers to the state of war. The rationale for the exclusion of the state of war from states of emergency was that it relates only to the international relations of the Republic of Poland and does not, as a rule, cause direct changes in domestic law. However, if such changes were to take place in parallel to a state of war, martial law could be introduced. According to Art. 116, the Sejm shall declare, in the name of the Republic of Poland, a state of war and the conclusion of peace. The Sejm may adopt a resolution on a state of war only in the event of armed aggression against the territory of the Republic of Poland or when an obligation of common defence against aggression arises by virtue of international agreements. If the Sejm cannot assemble for a sitting, the President of the Republic may declare a state of war. The Constitution also refers to a state of war in several other places. According to Art. 134 par. 4, the President of the Republic, for a period of war, shall appoint the Commander-in-Chief of the Armed Forces on request.
of the Prime Minister. Also, Art. 175 par. 2 provides that extraordinary courts or summary procedures may be established only during a time of war.

Chapter XI of the Constitution contains seven articles. The first Art. 228 determines the general principles of states of emergency. Based on its provisions, the following principles can be distinguished:

1) exceptionality – any of the appropriate extraordinary measures (martial law, a state of emergency, or a state of natural disaster) may be introduced only in situations of particular danger if ordinary constitutional measures are inadequate;

2) legality – extraordinary measures may be introduced only by regulation, issued upon the basis of statute, and which shall additionally require to be publicized;

3) proportionality – actions undertaken as a result of the introduction of any extraordinary measure shall be proportionate to the degree of threat and shall be intended to achieve the swiftest restoration of conditions allowing for the normal functioning of the State;

4) expediency/efficiency – actions undertaken as a result of the introduction of any extraordinary measure should aim to restore the normal functioning of the state as soon as possible;

5) protection of the foundations of the legal system – during a period of introduction of extraordinary measures, the following shall not be subject to change: the Constitution, the Acts on Elections to the Sejm, the Senate and organs of local government, the Act on Elections to the Presidency, as well as statutes on extraordinary measures;

6) protection of representative bodies – during a period of introduction of extraordinary measures, as well as within 90 days following its termination, the term of office of the Sejm may not be shortened, nor may a nationwide referendum, nor elections to the Sejm, Senate, organs of local government nor elections for the Presidency be held, and the term of office of such organs shall be appropriately prolonged. Elections to organs of local government shall be possible only in those places where extraordinary measures have not been introduced.

In the case of external threats to the State, acts of armed aggression against the territory of the Republic of Poland, or when an obligation of common defence against aggression arises by virtue of the international agreement, the President of the Republic may, on request of the Council of Ministers, declare a state of martial law in a part of or upon the whole territory of the State. The premise of an external threat to the state is not strictly specified in the laws, with the very essence of martial law implying that the threat should be of a military nature. However, the assessment of the resulting threat always belongs to the organs of state power deciding to impose martial law, i.e. the Council of Ministers and the President. The decision of the organs of executive power is subject to the control of the Sejm (the first chamber of Polish parliament) in this respect. Pursuant to the Act on martial law, the Council of Ministers, as the body ensuring the external security of the state and exercising general leadership in the field of national defence (Art.146, par. 4, items 8 and 11 of the Constitution). It submits a request for the imposition of martial law to the President, who immediately considers it and then issues a decree on the imposition of martial law or decides to refuse to issue such a decree. In the decree, the President specifies the reasons for the imposition of martial law, its territorial scope, and, to the extent permitted by law, the types of restrictions on human and civil liberties and rights. Martial law takes effect from the day the decree is published in the Official Journal of Laws.

The ordinance must be, within 48 hours of being signed by the President, presented to the Sejm, which “immediately” considers the act. The Sejm may reject the decree by an absolute majority of votes. The resolution of the Sejm is published in the Official Journal of Laws. Its adoption is tantamount to the termination of martial law with ex nunc effect, i.e. from the moment the resolution comes into force (promulgation). The Presidential Decree on the imposition of martial law and other legal acts relating to martial law shall be made public, by means of a proclamation by the competent provincial governor, by posting in public places, as well as in the manner customarily adopted in the area concerned (Art. 4 par. 3 of the Act on martial law. In accordance with the aforementioned Art. 15 of the European Convention on Human Rights and Art. 4 of the International Covenant on Civil and Political Rights, the Minister of Foreign Affairs must notify the Secretary-General of the United Nations and the Secretary-General of the Council of Europe of the introduction and reasons for the imposition of martial law, as well as its lifting.

The introduction of martial law has consequences in terms of restrictions on individual rights. The Polish Constitution defines this in a negative way by indicating in Art. 233 par. 1 those rights and freedoms that cannot be restricted. The statute specifying the scope of limitation of the freedoms and rights of persons and citizens in times of martial law and states of emergency shall not limit the freedoms and rights specified in Art. 30 (the dignity of the person), Art. 34, and Art. 36 (citizenship), Art. 38 (protection of life), Art. 39, Art. 40 and Art. 41 par. 4 (humane treatment), Art. 42 (ascription of criminal responsibility), Art. 45 (access to a court), Art. 47 (personal rights), Art. 53 (conscience and religion), Art. 63 (petitions), as well as Art. 48 and Art. 72 (family and children). Additionally, limitation of the freedoms and rights of persons and citizens only by reason of race, gender, language, faith or lack of it, social origin, ancestry, or property shall be prohibited.

The grounds for the imposition of a state of emergency are set out in Art. 230 of the Constitution. It provides that in the case of threats to the constitutional order of the State, to the security of the citizenry or public order, the President of the Republic may, on request of the Council of Ministers, introduce for a definite period no longer than 90 days, a state of emergency in a part of or upon the whole territory of the State. Extension of a state of emergency may be made once only for a period no longer than 60 days and with the consent of the Sejm. A threat to the constitutional order of the state arises when institutions of constitutional rank are attacked. The classic manifestation of such a threat is an armed coup (military coup). On the other hand, threats to the security of the citizenry or public order arise in the event of a threat to life, health, or property on a significant scale, e.g. in the event of large-scale
hooliganism. Threats to public order may be invoked when a factual situation justifying the imposition of the state of emergency is so complex that it cannot be justified merely by a threat to the constitutional system of the state or the security of citizens. Both the procedure for the imposition of the state of emergency and restriction of the freedom of individual rights is identical as in the case of martial law.

In Poland, the introduction of the state of emergency took place only once in 2021 in connection with events on the Polish-Belarusian border. It should be noted that this was the first case of the introduction of a state of emergency in Poland with a formal invocation of the constitutional provisions on states of emergency since the declaration of martial law in 1981, and thus the first such case under the current 1997 Constitution. On 31 August 2021, the Council of Ministers submitted a request to the President of the Republic of Poland to impose a state of emergency due to the threat to security and public order on a part of the territory of the Republic of Poland in connection with the migration crisis and the Russian-Belarusian military exercises codenamed ZAPAD taking place near the Polish border. On 2 September 2021, President Andrzej Duda signed the ordinance, which was published in the Journal of Laws on the same day and came into force on the same day. On 6 September 2021, a vote was held in the Sejm on the repeal of the regulation. The proposal was rejected by a majority (168 “for” votes, 247 “against” and 20 abstentions). The state of emergency covered 115 localities in Podlaskie Voivodeship and 68 localities in Lubelskie Voivodeship, along the entire Polish-Belarusian border. It was imposed for 30 days. By a decree of 1 October 2021, President Andrzej Duda extended the state of emergency over the entire area for another 60 days. The day before, the extension of the state of emergency was approved by the Sejm.

In the area covered by the state of emergency, the following restrictions were introduced in the government’s regulation: suspension of the right to organise and hold assemblies, suspension of the right to organise and hold mass events and artistic and entertainment events conducted within the framework of cultural activities which are not mass events, the obligation for persons in public places to carry an identity card or other document proving their identity and, in the case of students under 18 years of age, a school ID card, the ban on staying in the area under the state of emergency, valid 24 hours a day (a number of exceptions to this ban have been introduced, e.g. for persons permanently residing or working in the area under the state of emergency), the ban on recording with technical means the appearance or other features of places, objects or areas comprising border infrastructure, also in the event when these places, objects or areas constitute the background for the image of a Border Guard or Police officer and a soldier of the Armed Forces of the Republic of Poland, restriction of access to public information by refusal to provide access to information concerning activities carried out in the area covered by the state of emergency in connection with the protection of the state border and the prevention and counteraction of illegal migration, the ban on carrying firearms, ammunition and explosives, as well as other types of weapons.

The introduction of the state of emergency has raised a number of doubts as to its compliance with the Constitution. As pointed out by the Ombudsman in his address to the Prime Minister, the government went beyond the restrictions on individual rights outlined in the Presidential Decree on the state of emergency, which concern the prohibition of staying at fixed times and in designated places, facilities and areas. Instead of making these restrictions more specific, the government has broadened them – introducing a blanket ban on being in the entire area of the state of emergency and for its entire duration. The Council of Ministers, on the other, hand, should have designated the particular places, facilities, and areas where the residence ban applies, as well as specifying its duration. As a result, there was a violation of the constitutional principles of issuing regulations (Art. 92 of the Constitution) and freedom of movement within the territory of Poland (Art. 52).

On 18 January 2022, the Supreme Court issued a precedent-setting judgment in which it ruled that the universal ban on entry into the zone with the state of emergency was contrary to the Constitution and the Emergency Law. In this judgment, the Supreme Court acquitted a group of journalists of the charge of violating the ban on staying in the state of emergency area, finding that the ban was issued in excess of the delegation to the Council of Ministers to impose restrictions on the rights of the individual, as set out in both the Act on the state of emergency and the Presidential Decree on the introduction of the state of emergency. In the opinion of the Supreme Court, in accordance with the cited legal acts, the residence restriction should apply only to designated places, objects, and areas and be in force only for a strictly specified period of time. Therefore, it was not legitimate to introduce a ban on residence, which is of a general nature, valid at all times and in the entire area covered by the state of emergency. In addition, it was pointed out that the above ban violated the principle of proportionality expressed in Art. 228 par. 5 of the Polish Constitution. The Supreme Court found no reason why such a severe restriction of the freedom of movement within the territory of the Republic of Poland should be justified by “the threat to the security of citizens and public order associated with the current situation on the state border of the Republic of Poland with the Republic of Belarus. In addition, the Supreme Court considered that the failure to take into account constitutional and conventional guarantees of the freedom of journalists to obtain information in the area covered by the state of emergency, while at the same time introducing a number of other exceptions to the residence ban, was also indicative of a violation of Art. 54 par. 1 of the Constitution of the Republic of Poland (freedom of expression and obtaining and disseminating information) and Art. 10 par. 1 of the ECHR (freedom of expression).

The rationale for the introduction of the third type of a state of emergency is set out in Art. 232 of the Constitution, which provides that in order to prevent or remove the consequences of a natural catastrophe or a technological accident exhibiting characteristics of a natural disaster, the Council of Ministers may introduce, for a definite period no longer than 30 days, a state of natural disaster in a part of or upon the whole territory of the State. An extension of a state of natural disaster may be made with the consent of the Sejm.
The act on the state of natural disaster clarifies that a “natural disaster” is a natural disaster or technical failure, the effects of which threaten the life or health of a large number of people, large-scale property, or the environment in large areas. The state of natural disaster is a situation, in which assistance and protection can be effectively undertaken only with the use of extraordinary measures in cooperation of various bodies and institutions as well as specialized services and formations operating under uniform management (Art. 3 par. 1 item 1). The act defines individual events. A natural disaster is an event related to the forces of nature, in particular atmospheric discharges, seismic shocks, strong winds, intense precipitation, prolonged occurrence of extreme temperatures, landslides, fires, droughts, floods, ice phenomena on rivers and seas, as well as lakes and reservoirs water, mass occurrence of pests, diseases of plants or animals or infectious diseases of humans, or the action of another element (Art. 3 par. 1 item 2). A technical failure is a sudden, unforeseen damage, or destruction of a building object, technical device or system of technical devices, resulting in a break in their use or loss of their properties (Art. 3 par. 1 item 3). A natural disaster or technical failure may also be an event caused by terrorist activity.

The state of natural disaster may be introduced by the Council of Ministers, acting on its own initiative or at the request of the competent voivode. In the regulation on the introduction of a state of natural disaster, the Council of Ministers specifies the causes, the date of introduction, the area and duration of the state of natural disaster, as well as, to the extent permitted by the act on the state of natural disaster, the types of necessary restrictions on the freedoms and rights of people and citizens. The state of natural disaster may be introduced for 30 days and may be extended with the consent of the Sejm.

Art. 233 par. 3 of the Constitution defines the principles of limiting the freedoms and rights of humans and citizens during a state of natural disaster in a different way than in the case of martial law and a state of emergency because it indicates in a positive way those rights and freedoms that may be limited. The statute specifying the scope of limitations of the freedoms and rights of persons and citizens during states of natural disasters may limit the freedoms and rights specified in Art. 22 (freedom of economic activity), Art. 41 par. 1, 3, and 5 (personal freedom), Art. 50 (inviolability of the home), Art. 52, par. 1 (freedom of movement and sojourn on the territory of the Republic of Poland), Art. 59 par. 3 (the right to strike), Art. 64 (the right of ownership), Art. 65 par. 1 (freedom to work), Art. 66 par. 1 (the right to safe and hygienic conditions of work) as well as Art. 66 par. 2 (the right to rest).

Prerequisites for the introduction of a state of natural disaster in Poland under the rule of the Constitution in force have occurred several times. In 2015, as well as in the summer of 2006, Poland struggled with severe droughts. In 2007, farmers lost their crops because of exceptionally late frosts. In 2010, flood waves swept through the rivers several times. The reasons for not introducing a state of natural disaster were often of a political nature. In the late spring of 2010, during the raging floods, a state of natural disaster was not declared because, according to the Constitution, the presidential election scheduled for June 20 would have had to be cancelled. It was then explained that aid to the victims would be provided on such a scale as if a state of disaster had been declared. Similarly in 2015, when drought prevailed in all regions of Poland decimating crops, the farmers demanded that the disaster be declared and that aid be launched. However, the authorities did not decide to introduce a state of natural disaster, because once again it coincided with the parliamentary elections.

Undoubtedly, the justification for the introduction of a state of natural disaster appeared also in 2020. Nevertheless, despite the COVID-19 pandemic which required the imposition of lockdown-type measures in Poland in March 2020, such as closing schools and universities, cancelling mass events, limiting non-family gatherings to two persons, forbidding non-essential travel, requiring individuals walking in streets to keep a distance of at least two meters, requiring people to wear masks, closing parks, boulevards, beaches, forbidding unaccompanied minors from leaving homes, the government did not declare the state of natural disaster. Again, the decision was connected with the presidential elections which were supposed to take place on 10 May 2020.

The analysis presented above indicates that the constitutional regulation of states of emergency in Poland is relatively extensive and it regulates all the necessary issues to maintain democratic standards in the event of an extraordinary threat to the state and its citizens. Nevertheless, the current constitutional practice regarding emergency measures shows that they were always prone to be subordinated to the implementation of the current political interests of the ruling party. Thus, they did not fulfill their basic function, which is to protect the security of the state and the safety of its citizens in emergency situations.

1 On the models of an extraordinary state see more: K. Prokop, Modele stanu nadzwyczajnego, Białystok 2012.
7 Martial law was regulated by the regulation of the President of the Republic of Poland with the force of a statute of 16 January 1928 on martial law (Official Journal of Laws “Dziennik Ustaw” No. 8, item 54), and then the act of 23 June 1939 on martial law (Official Journal of Laws “Dziennik Ustaw” No. 57, item 366), and the state of emergency by the regulation of the President of the Republic of Poland with the force of a statute of 16 March 1928 on the state of emergency (Official Journal of Laws “Dziennik Ustaw” No. 32, item 307) and the Act of 22 February 1937 on the state of emergency (Official Journal of Laws “Dziennik Ustaw” No. 17, item 108).

9 Decree of the Council of State with the force of a statute of 12 December 1981 on martial law (Official Journal of Laws “Dziennik Ustaw” No. 29, item 154, as amended). This was issued in violation of the Constitution of the People’s Republic of Poland, which in Art. 26 sec. 1 granted the Council of State the right to issue decrees with the force of law only in the period between sessions of the Sejm.


11 Act of 29 August 2002 on martial law and the competences of the Supreme Commander of the Armed Forces and the principles of his subordination to the constitutional authorities of the Republic of Poland (Unified text: Official Journal of Laws “Dziennik Ustaw” 2022, item 2029).


15 On martial law see more: K. Prokop, Stanu nadzwyczajne w Konstytucji Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r., Białystok 2005, pp. 44 –73.

16 Regulation of the President of the Republic of Poland of 2 September 2021 on the introduction of a state of emergency in part of the Podlaskie Voivodeship and part of the Lubelskie Voivodeship (Official Journal of Laws “Dziennik Ustaw” 2021, item 1612).

17 Regulation of the President of the Republic of Poland of 1 October 2021 on the extension of the state of emergency introduced in part of the Podlaskie Voivodeship and part of the Lubelskie Voivodeship (Official Journal of Laws “Dziennik Ustaw” 2021, item 1788).

18 Resolution of the Sejm of the Republic of Poland of 30 September 2021 on consent to the extension of the state of emergency (Official Journal of Laws “Dziennik Ustaw” 2021, item 1787).

19 Regulation of the Council of Ministers of 2 September 2021 on restrictions on freedoms and rights in connection with the introduction of a state of emergency (Official Journal of Laws “Dziennik Ustaw” 2021, item 1613), Regulation of the Minister of Interior and Administration of 2 September 2021 on limiting the right to possess firearms, ammunition and explosives and other types of weapons (Official Journal of Laws “Dziennik Ustaw” 2021, item 1614).

20 https://bip.brpo.gov.pl/pl/content/rpo-stan-wyjatkowy-zakazy-rzad-rozporzadzenie-nieprawidlowosci-odpowiedz
