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## REFLECTIONS ON EXTENDING THE TERM OF OFFICE OF LOCAL GOVERNMENT UNITS

### REFLEKSJE NA TEMAT PRZEDŁUŻENIA KADENCJI ORGANÓW JEDNOSTEK SAMORZĄDU TERYTORIALNEGO

**Summary:** On September 29, 2022, the Sejm adopted the Act on the extension of the term of office of local government units until April 30, 2024 and on the amendment of the Electoral Code<sup>1</sup>, pursuant to which the term of office of commune councils, powiat councils, provincial assemblies, district councils of the capital city Warsaw, commune heads, mayors and presidents of cities, which expires in 2023, is extended until April 30, 2024. The author of this study analyzed the course of the legislative process, statements justifying the adoption of the act, but also – and perhaps above all – those in opposition to this regulation, as well as the principles arising from the Constitution and electoral law in the context of the provisions of this Act. All this enabled her to answer the bothering questions: does the adoption of this act violate the basic principles of electoral law? Is the change in the length of the term of office during its term, one year before its expiry, consistent with the Constitution of the Republic of Poland? What will be the impact of the entry into force of this law?

**Keywords:** extension of the term of office, bodies of local government units, coincidence of elections, parallel election campaign

**Streszczenie:** W dniu 29 września 2022 r. Sejm przyjął ustawę o przedłużeniu kadencji organów jednostek samorządu terytorialnego do dnia 30 kwietnia 2024 r. oraz o zmianie Kodeksu wyborczego<sup>2</sup>,

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<sup>1</sup> Act of 29 September 2022 on extending the term of office of local government units until 30 April 2024 and amending the Electoral Code, Journal U. item 2418.

<sup>2</sup> Ustawa z dnia 29 września 2022 r. o przedłużeniu kadencji organów jednostek samorządu terytorialnego do dnia 30 kwietnia 2024 r. oraz o zmianie Kodeksu wyborczego, Dz.U. poz. 2418.

mocą której kadencja rad gmin, rad powiatów, sejmików wojewódzkich, rad dzielnic m.st. Warszawy, wójtów, burmistrzów i prezydentów miast, która upływa w 2023 r., ulega wydłużeniu do dnia 30 kwietnia 2024 r. Autorka niniejszego opracowania dokonała analizy przebiegu procesu legislacyjnego, wypowiedzi uzasadniających przyjęcie ustawy, ale również – a może przede wszystkim – stojących w opozycji do tej regulacji, a także zasad wynikających z Konstytucji i prawa wyborczego w kontekście przepisów tej ustawy. To wszystko umożliwiło jej udzielenie odpowiedzi na nurtujące pytania o to: czy uchwalenie tej ustawy nie łamie podstawowych zasad prawa wyborczego? Czy zmiana długości kadencji w czasie jej trwania, na rok przed jej upływem, jest zgodna z Konstytucją RP? Jakie skutki wywoła wejście w życie tej ustawy?

**Słowa kluczowe:** przedłużenie kadencji, organy jednostek samorządu terytorialnego, zbieg wyborów, równoległa kampania wyborcza

## INTRODUCTION

On September 29, 2022, the Sejm adopted the act extending the term of office of local government units until April 30, 2024 and amending the Electoral Code<sup>3</sup>. Pursuant to the provisions of this act, the term of office of commune councils, povi-at councils, provincial assemblies, district councils of the capital city Warsaw, commune heads, mayors and presidents of cities, which expires in 2023, is extended until April 30, 2024. The election date is set for a non-working day not earlier than March 31, 2024 and not later than April 23, 2024.

The purpose of this study is to attempt to answer the following pressing questions: does the adoption of this act violate the fundamental principles of electoral law? Is the change in the length of the term of office during its term, one year before its expiry, consistent with the Constitution of the Republic of Poland? What will be the impact of the entry into force of this law?

For this purpose, it is necessary to present the course of the legislative process, to refer to statements justifying the adoption of the act, but also – and perhaps above all – to be in opposition to this regulation, to analyze the principles resulting from the Constitution and electoral law in the context of the provisions of this act, and assessment of other systemic provisions specifying the term of office of local government units.

## PURPOSE OF THE ADOPTION OF THE LAW

The introduction of the draft of this act was announced by Jarosław Kaczyński (leader of the ruling Law and Justice party) on September 4, 2022, during a meeting with the inhabitants of Mielec. He said that his party would submit a bill to the

<sup>3</sup> Act of 29 September 2022 on extending the term of office of local government units until 30 April 2024 and amending the Electoral Code, Journal U. item 2418.

Sejm extending the term of office of local governments by half a year. The reason for this decision was that there would be a confluence of elections in the fall of 2023. According to the current law, this is the date of local government elections (due to the fact that in 2018<sup>4</sup> the term of office of local governments was extended from 4 to 5 years, and the previous local elections were held on October 21, 2018) and the constitutional date of parliamentary elections (the last one was held on October 13, 2019). According to Law and Justice leader, 'it is impossible to hold local and parliamentary elections at the same time'<sup>5</sup>. He pointed out that the State Electoral Commission and all heads of party finance are of the same opinion, because it is impossible to account for both elections at once.

In turn, Prime Minister Mateusz Morawiecki a day later (September 5, 2022) stated that: 'The accumulation of elections may give rise to operational complications, so we will propose postponing the local government elections by a few months, half a year, a maximum of a year; the decision is of course up to the parliament and the president'<sup>6</sup>. Ultimately, the party authorities decided to extend the term of office until the end of April 2024<sup>7</sup>, which means that it will last 5.5 years.

## BILL

On September 15, 2022, the Sejm received the announced parliamentary bill on extending the term of office of local government units until April 30, 2024 and amending the act - Electoral Code<sup>8</sup>. The proposer referred to the fact that it is in Poland's interest to separate these elections. This would allow us to avoid many problems that would be the basis for undermining the election result and thus the legality of the election of the authorities, which is extremely important in today's

<sup>4</sup> This term of office was extended in the commune of Art. 1 point 3 of the Act of 11 January 2018 amending certain acts in order to increase the participation of citizens in the process of selecting, operating and controlling certain public bodies (Journal of Laws, item 130), amending the wording of Art. 16 of the Act of March 8, 1990 on commune local government; the amending act also includes relevant provisions extending the term of office of powiat and province authorities.

<sup>5</sup> K. Sobczak, P. Rojek-Socha, *Sejm przeforsował ustawę o wydłużeniu kadencji samorządów*, <https://www.prawo.pl/samorzadz/kadencja-samorzadow-pis-wydluzy-o-pol-roku,517114.html> [access: 15.11.2022].

<sup>6</sup> Ibidem.

<sup>7</sup> According to Deputy Minister of the Interior and Administration, Paweł Szefernaker: 'Elections should be held as soon as possible. They cannot be held in winter, because elections are a celebration of democracy. Those who say that local government elections should be held in December, January or February would condemn Poles to the fact that in snowdrifts, storms, snow, the most beautiful elections, such bottom-up elections at every level, closest to people, would take place in winter in Poland' - *Dwa "najbardziej prawdopodobne" terminy przesuniętych wyborów. Projekt ma trafić do Sejmu*, <https://tvn24.pl/polska/wybory-samorzadowe-pis-chce-przesuniecie-wiceminister-o-dwoch-najbardziej-prawdopodobnych-terminach-6111419> [access: 15.11.2022].

<sup>8</sup> Bill of September 15, 2022 on extending the term of office of local government units until April 30, 2024 and amending the Act - Electoral Code (paper no. 2612),

<sup>h</sup><https://orka.sejm.gov.pl/Druki9ka.nsf/0/6C3235AA57D36964C12588C2004ACAD7/%24File/2612.pdf> [access: 15.11.2022].

– dangerous – times (it is about the situation beyond our eastern border). He emphasized that the situation of social unrest resulting from undermining the electoral result would certainly be used by those who wish Poland badly today. Therefore, it is the duty of the parliament to ensure that there are no arguments to undermine the results of the elections and to conduct them in such conditions that everyone has equal opportunities and the elections are transparent.

It was argued that this change would eliminate organizational problems. Holding elections at the same time would require the involvement of around 600,000 members of the precinct electoral commissions. One would have to find them first, which could be a bit of a problem given previous experience, and then carry out the training procedure. Printing the ballot papers and other purely technical activities would also be a huge organizational challenge, as also pointed out by the National Electoral Commission. According to the project promoter, however, the most important thing would be that postponing the date of the local government elections would avoid huge problems related to the settlement of the election campaign. This would, in his opinion, be a field for serious abuses. He pointed out that the available data show that 70% of candidates for deputies run in local government elections earlier. Therefore, he asked the question of how to account for the election campaign within two limits of overlapping campaigns of the same person running for commune head and MP. In his opinion, this shows that maintaining the financial transparency of the election campaign would be extremely difficult or even impossible. It would be a problem on a massive scale, a problem that would not even have to be the fault of the candidates and electoral committees.

The proposer also referred to the principle of equal opportunities for candidates. In his opinion, those who run in both elections would certainly have better chances and greater opportunities related to financial limits than those who would run only in a single election. Abuses in this area could also be a serious argument to challenge the election results before the courts<sup>9</sup>. In addition, voters, in such a short period of time, could be exposed to information chaos regarding, for example, which candidates are taking part in which election campaign. He also drew attention to avoiding problems with electoral silence, with the ban on publishing opinion polls. With overlapping elections, this is, in his opinion, a problem that would also be an important argument to undermine the election results, and thus the legality of the election of the authorities.

The proposer also emphasized that, according to the law, it was only possible to postpone the local government elections. At the same time, he referred to the judg-

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<sup>9</sup> From the justification of the draft Act of September 29, 2022 on the extension of the term of office of local government units until April 30, 2024 and on amending the Electoral Code (print 2612), <https://orka.sejm.gov.pl/Druki9ka.nsf/0/6C3235AA57D36964C12588C2004ACAD7/%24File/2612.pdf> [access: 17.11.2022].

ment of the Constitutional Tribunal of 26 May 1998<sup>10</sup>, in which the Tribunal found the solution consisting in extending the term of office of local government units admissible. However, postponing the date of elections to the Sejm and the Senate is not possible without amending the Constitution. Article 98 clearly defines the 4-year term of office of the parliament, while the term of office of local government bodies is defined by ordinary statutes. He also emphasized that the proposed change would be carried out more than a year before the elections, which is in line with the jurisprudence of the Constitutional Tribunal, which sets this deadline at 6 months<sup>11</sup>.

## COURSE OF THE LEGISLATIVE PROCESS

Work on the bill proceeded at an express pace. Already on September 19, 2022, the bill was sent for the first reading at the Sejm session, and two days later (September 21) for the opinion of local government organizations. On September 28, 2022, at the 62nd session of the Sejm, the first reading of the bill was held, during which some deputies from the very beginning denied the submitted draft. Therefore, a motion to defeat the bill in the first reading was submitted. As a result of voting for the motion, 208 MPs voted, 228 voted against, and 1 MP abstained<sup>12</sup>.

Therefore, the bill was directed under Art. 39.3 of the Rules of Procedure of the Sejm<sup>13</sup>, to the Local Government and Regional Policy Committee, which was set the deadline for submitting the report by the next day, i.e. September 29, 2022. However, the committee met on the same day. Some members of the Committee strongly opposed the adoption of the bill, therefore, at the beginning of the meeting, a motion to defeat it in its entirety was submitted, however, it did not receive sufficient support, and therefore the Committee proceeded further, discussing the bill changes in detail.

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<sup>10</sup> Judgment of the Constitutional Tribunal of May 26, 1998, file ref. K. 17/98, OTK 1998/4/48.

<sup>11</sup> Statement of P. Hreniak of September 28, 2022 at the meeting of the Local Government and Regional Policy Committee (no. 177) - full record of the meeting of the Local Government and Regional Policy Committee (no. 177), <https://orka.sejm.gov.pl/zapisy9.nsf/0/03D3FCF87D7B403CC12588FA004D7454/%-24File/0303209.pdf>, s. 4-5 [access: 17.11.2022]; see also the statement of the same of October 19, 2022 at the meeting of the joint Committee on Human Rights, the Rule of Law and Petitions (No. 203), Legislative Committee (No. 272), Local Government and State Administration Commission (No. 185) - see shorthand record of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (no. 203), the Legislative Committee (no. 272), the Local Government and State Administration Committee (no. 185), <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885.1.html> [access: 19.11.2022].

<sup>12</sup> Voting No. 4 at the 62nd sitting of the Sejm on 28 September 2022 at 12:41:31, conducted after the first reading of the parliamentary draft act on extending the term of office of local government units until April 30, 2024 and amending the act - Electoral Code (paper no. 2612) on the motion to defeat the bill in the first reading, <https://www.sejm.gov.pl/Sejm9.nsf/agent.xsp?symbol=glosowania&nrkadencja=9&nrglosowania=62&nrglosowania=4> [access: 19.11.2022].

<sup>13</sup> Resolution of the Sejm of the Republic of Poland of July 30, 1992, Regulations of the Sejm of the Republic of Poland, M.P. 2020, item 990.

The Committee meeting was attended by Magdalena Pietrzak - head of the National Electoral Office and Lech Gajzler – director of the Legal and Election Organization Team of the National Electoral Office, who, however, did not present any opinion on the bill, despite the bill's originator referring to major organizational complications for electoral authorities. Magdalena Pietrzak did speak, but only in the part of analyzing subsequent regulations, referring only to technical comments raised by other speakers – mainly members of the Legislation Bureau.

The meeting was also attended by representatives of local government organizations: representative for legislative matters of the board of the Association of Polish Cities Marek Wójcik and expert of the Association of Polish Poviats Przemysław Matysiak. Both expressed unequivocally negative opinions of local governments on the bill, raising many rational arguments<sup>14</sup>. In the meantime, the Sejm, through the Association of Provinces of the Republic of Poland, received the requested opinions of local governments – the Marshal of the Mazowieckie Province and the Pomeranian Province, containing only critical remarks to the presented draft<sup>15</sup>. The next day, the following positions were also delivered – the Marshal of the Zachodniopomorskie Province and the Lubuskie Province<sup>16</sup>, similarly to the previous ones, expressing a negative opinion on the act being processed. As you can see, none of the local government circles reacted positively to the idea of extending the term of office of local government bodies, despite the bill proposer raising such an attitude of the local government, and even requests on its part to help it somehow solve the problem of having to hold two different types of elections at the same time.

Opponents of the act (e.g. Waldy Dzikowski from the Civic Coalition (KO) argued that Art. 228 of the Constitution states that only due to states of emergency, any elections can be postponed. However, Art. 2 of the Constitution, which is the most important in the context of considering the Constitutional Tribunal's ruling

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<sup>14</sup> See statements of the Plenipotentiary for legislative matters of the board of the Association of Polish Cities Marek Wójcik and the Expert of the Association of Polish Poviats Przemysław Matysiak of September 28, 2022 at the meeting of the Local Government and Regional Policy Committee (No. 177) - full record of the meeting of the Local Government and Regional Policy Committee (No. 177), <https://orka.sejm.gov.pl/zapisy9.nsf/0/03D3FCF87D7B403CC12588FA004D7454/%24File/0303209.pdf>, pp. 4-5 [access: 20.11.2022].

<sup>15</sup> Letter from Jakub Mielczarek, Director of the ZWRP Office of September 28, 2022, on the submission of the comments of the Marshal of the Mazowieckie Province and the Marshal of the Pomeranian Province to the parliamentary draft act on extending the term of office of local government units until April 30, 2024 and amending the act - Electoral Code, <https://orka.sejm.gov.pl/Druki9ka.nsf/0/CA79AC8AE02A2E2CC12588CB004FC36B/%-24File/2612-001.pdf> [access: 20.11.2022].

<sup>16</sup> Letter from Jakub Mielczarek, Director of the ZWRP Office of September 29, 2022, on the submission of the comments of the Marshal of the Zachodniopomorskie Province and the Marshal of the Lubuskie Province to the parliamentary draft act on extending the term of office of local government units until April 30, 2024 and amending the Act - Electoral Code, <https://orka.sejm.gov.pl/Druki9ka.nsf/0/21FAACE0601CAD26C12588CC0042A363/%-24File/2612-002.pdf> [access: 20.11.2022].

of 1998, determines that the Polish state meets the principles of the rule of law and performs the tasks of a democratic state in accordance therewith. The Constitutional Tribunal, in its decision of 1998, to which the proposer referred, admitted the possibility of postponing the date of the local government elections, however, it clearly emphasized that it must be accompanied by significant reasons and circumstances. According to the opponents of the Act, in the analyzed case, however, we did not deal with such ones. There was no vote from the National Electoral Office or the NEC that would clearly indicate that there were significant legal problems. Moreover, the Constitutional Tribunal emphasized that it was inconsistent with the constitutional principle to extend the term of office during its term<sup>17</sup>.

According to the opponents, these elections could even be held in one day, of course. Yet this would require appropriate logistics, but there was still more than a year before the elections and one can properly prepare for it. This, of course, causes some difficulties, but this is no particular reason for postponing the date of the elections. Meanwhile, as they clearly emphasized, in the analyzed case, according to the electoral calendar, these elections can be held six weeks apart. In addition, they pointed out that it is complete paranoia to postpone local elections so that they do not collide with parliamentary elections, so that they collide with European elections<sup>18</sup>. Thus, by eliminating the alleged conflict of 2023, one creates exactly the same conflict in 2024, where the elections are held in mid-May. As a result of the proposed change, instead of a one-off conflict, a cyclical conflict will arise. However, if this change had not been introduced, the next conflict of this type would not occur until 20 years from now.

In turn, MP Jacek Protas (The Civic Coalition- KO) emphasized that a year ago, Mr. Horała and Mr. Schreiber, today applying for the extension of the term of office of local government bodies, were given a different task, namely to introduce changes to the Electoral Code along with the changes that led to this coincidence. He and MP Waldy Dzikowski were then members of a special committee that discussed these changes and pointed out that the extension of the local government term to five years would lead to such a coincidence. They then received an answer that there was absolutely no threat to holding these elections, and the authorities would deal with it all. Following the previous speaker, he firmly emphasized that the point is not that the parliamentary elections and the local government elections should be held on the same day. According to the electoral calendar, they can be carried out at intervals of 5-6 weeks. On the other hand, any negative opinions regarding the coincidence of these elections refer only to the situation if they were held on one

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<sup>17</sup> Statement by W. Dzikowski of September 28, 2022 at the meeting of the Local Government and Regional Policy Committee (no. 177) - full record of the meeting of the Local Government and Regional Policy Committee (no. 177), <https://orka.sejm.gov.pl/zapisy9.nsf/0/03D3FCF87D7B403C-C12588FA004D7454/%24File/0303209.pdf>, pp. 3-4 [access: 21.11.2022].

<sup>18</sup> Ibidem.

day, and this is not sought after. He was therefore clearly opposed to postponing the local government elections by half a year<sup>19</sup>.

As a result of a heated discussion at the Commission meeting on September 28, 2022, several amendments were proposed and finally the Commission adopted the bill by a majority of 16 votes to 11 votes against (no one abstained from voting)<sup>20</sup>.

The next day (September 29, 2022), the second reading was held at the Sejm session. After its completion, a motion was submitted to defeat the bill in its entirety, which, however, did not receive the appropriate majority. As a result, a motion was submitted to proceed to the third reading without sending the bill back to the Committee. Although there was an objection to this motion, 442 deputies participated in the vote on the motion itself, of which 230 were in favor, 212 against, no one abstained from voting (vote no. 23)<sup>21</sup>. Therefore, the third reading was immediately started. Finally, during that day of deliberations, the entire bill was voted on. Again, a motion was made to defeat the bill in its entirety, which as the most far-reaching one was put to the vote first, but once again it did not receive the required majority. Therefore, a vote was taken in favor of the act, during which 231 votes were cast in favor, 209 against, 1 person abstained from voting (voting no. 26)<sup>22</sup>.

In this way, in just 14 days, the Sejm passed an act that introduces one-time, but fundamental changes to the local government electoral law, against the will of local governments and without consulting the public, which, using its democratic rights, elected local government bodies for a five-year term.

On the next day (September 30, 2022), the act was submitted to the President of the Republic of Poland and the Marshal of the Senate, who on the same day referred it to the Human Rights, Rule of Law and Petitions Committee, the Local Government and

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<sup>19</sup> J. Protas, statement of September 28, 2022 at the meeting of the Local Government and Regional Policy Committee (no. 177) - full transcript of the meeting of the Local Government and Regional Policy Committee (no. 177),

<https://orka.sejm.gov.pl/zapisy9.nsf/0/03D3FCF87D7B403CC12588FA004D7454/%24File/0303209.pdf>, p. 5 [access: 22.11.2022].

<sup>20</sup> Report of the Committee of Local Government and Regional Policy (paper no. 2635) of 28 September 2022 on the parliamentary draft act on extending the term of office of local government units until 30 April 2024 and amending the act - Electoral Code (paper no. 2612),

<https://orka.sejm.gov.pl/Druki9ka.nsf/0/C64BD71F7F06BE18C12588CB0050C2AC/%24File/2635.pdf> [access: 22.11.2022].

<sup>21</sup> Voting No. 23 at the 62nd sitting of the Sejm on 29 September 2022 at 15:44:30 regarding point 10 Report of the Committee of Local Government and Regional Policy containing a motion to proceed immediately to the third reading of the draft act on extending the term of office of local government units until April 30, 2024 and amending the act - Electoral Code (paper no. 2612 and paper no. 2365) without reference to the Commission,

<https://www.sejm.gov.pl/Sejm9.nsf/agent.xsp?symbol=glosowania&nrkadencja=9&nropsiecznia=62&nrglosowania=23> [access: 22.11.2022].

<sup>22</sup> Voting No. 26 at the 62nd sitting of the Sejm on September 29, 2022 at 15:45:48 over the entire bill, <https://www.sejm.gov.pl/Sejm9.nsf/agent.xsp?symbol=glosowania&nrkadencja=9&nropsiecznia=62&nrglosowania=26> [access: 23.11.2022].



State Administration Committee and the Legislative Committee (form 814)<sup>23</sup>. A joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No. 272), and the Committee on Local Government and State Administration (No. 185) was held on October 19, 2022<sup>24</sup>. Representatives of local government organizations spoke in person: director of the Office of the Association of Polish Cities, Andrzej Porawski; adviser to the Association of Provinces of the Republic of Poland, Mr. Rafał Marchewka; expert of the Association of Polish Poviats, Mr. Przemysław Matysiak (he participated in the meeting remotely). The Union of Polish Metropolises was represented by Mrs Dorota Bąbiak-Kowalska<sup>25</sup>, Director of Legal and Organizational and Administrative Affairs. All reviews were negative.

The committee meeting was also attended by experts: Prof. Mariusz Bidziński from the Team of Advisors for the Control of Constitutional Law at the Marshal of the Senate of the 10th term, who prepared the evaluation of this project (the team worked with professors and post-doctoral fellows: Mariusz Bidziński, Marek Chmaj, Marcin Dąbrowski, Sławomir Patyra, Anna Rakowska-Trela), Prof. Ryszard Piotrowski, who, at the request of the 3 combined committees, prepared an individual opinion on the project. The third opinion was also prepared by prof. Mariusz Jabłoński, who sent it in a written version, however, did not participate in the committee meeting himself.

All three opinions clearly indicated that the act passed by the Sejm on September 29, 2022 should be rejected in its entirety. Experts raised many important and momentous allegations against it. The in-depth opinions were prepared diligently, leaving no doubt that this act is contrary to the Constitution of the Republic of Poland. And so, according to the Team of Advisors, represented by prof. Mariusz Bidziński, the proposed changes, including the key ones, i.e. Art. 1 of the Act, were in stark contradiction to the constitutional principle of the term of office of local government units, did not meet the requirements set out by the Constitutional Tribunal, and thus were in violation of

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<sup>23</sup> Letter from the Speaker of the Sejm of the Republic of Poland, Elżbieta Witek, to the Speaker of the Senate of the Republic of Poland, Tomasz Grodzki, sending, in accordance with Art. 121 sec. 1 of the Constitution of the Republic of Poland, to the Marshal of the Senate for consideration by the Senate, the Act on the extension of the term of office of local government units passed by the Sejm of the Republic of Poland at the 62nd session on September 29, 2022, [https://www.senat.gov.pl/gfx/senat/userfiles/\\_public/k10/dokumenty/druki/800/814.pdf](https://www.senat.gov.pl/gfx/senat/userfiles/_public/k10/dokumenty/druki/800/814.pdf) [access: 23.11.2022].

<sup>24</sup> Report of the Human Rights, Rule of Law and Petitions Committee, the Local Government and State Administration Committee and the Legislative Committee of 19 October 2022 (paper no. 814 A) on the Act on the extension of the term of office of local government units passed by the Sejm on 29 September 2022 After considering the act at the meeting on October 19, 2022, [https://www.senat.gov.pl/gfx/senat/userfiles/\\_public/k10/dokumenty/druki/800/814a.pdf](https://www.senat.gov.pl/gfx/senat/userfiles/_public/k10/dokumenty/druki/800/814a.pdf) [access: 23.11.2022].

<sup>25</sup> See stenographic record of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No. 272), and the Committee on Local Government and State Administration (No. 185), which took place on October 19, 2022, <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885,1.html> [access: 23.11.2022]; see also the opinion of the Association of Polish Cities, <https://www.senat.gov.pl/prace/proces-legislacyjny-w-senacie/ustawy-uchwalone-przed-sejmem/ustawy-uchwalone-przed-sejmem/ustawa,1400.html> [access: 23.11.2022].

Art. 2, art. 62(1) and from Art. 169(2) of the Constitution of the Republic of Poland. In addition, experts argued that the act passed by the Sejm is not only inconsistent with the provisions of the Constitution, but also violates the principles arising from Art. 4(6) of the European Charter of Local Self-Government and Art. 2 of the Constitution in terms of correct legislation, because, as it results from the doctrine, experience and previous jurisprudence, elections or changes in electoral procedures should always be preceded by consultations<sup>26</sup>. A member of the Advisory Team for the control of the constitutionality of law at the Marshal of the Senate of the 10th term, prof. Richard Piotrowski said that the act is entirely inconsistent with the preamble to the Constitution of the Republic of Poland to the extent that it violates the principle of subsidiarity, reliability and efficiency of the operation of a public institution, social dialogue as a legal basis. It is also incompatible with Art. 2 of the Constitution of the Republic of Poland to the extent that it violates the principle of the term of office of elected bodies, protection of citizens' trust in the state, legal security, unambiguity of the law, rationality of the legislator and the principle of decent legislation. Moreover, it is incompatible with Art. 7, 112, 119(1) of the Constitution of the Republic of Poland to the extent that it was adopted contrary to the applicable procedure. Finally, it is also incompatible with Art. 62(1) of the Constitution of the Republic of Poland in connection with Art. 2 of the Constitution to the extent that, by extending the term of office of local government units, it violates the right of citizens to elect these bodies as a guarantee of their right to local government<sup>27</sup>.

Also the third opinion prepared by prof. M. Jabłoński unequivocally indicated that the provisions of the act included in its Art. 1 are inconsistent with: Art. 2 of the Constitution of the Republic of Poland (with the principle of citizens' trust in the state and the law enacted by it) to the extent that these provisions violate the order to treat an individual (citizen) as subjects and their constitutionally guaranteed electoral rights due to the adoption of a regulation that meets the conditions of 'uncertainty' of the operation of the legislative authority- in particular, due to the legislator's failure to demonstrate the existence of another important constitutional value justifying the adoption of such a regulation, and as a consequence, giving priority to the less valuable good in the form of the organizational

<sup>26</sup> Statement of 19 October 2022 by M. Bidziński, acting on behalf of the team of experts preparing an opinion on the bill at the meeting of the joint committees - see shorthand record of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (no. 203), the Legislative Committee (no. 272), the Local Government and State Administration Committee (no. 185), <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885.1.html> [access: 23.11.2022].

<sup>27</sup> Statement of October 19, 2022 by R. Piotrowski preparing an opinion on the bill at the meeting of the Joint Committees; - see shorthand record of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (no. 203), the Legislative Committee (no. 272), the Local Government and State Administration Committee (no. 185), <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885.1.html> [access: 24.11.2022]; see also R. Piotrowski, *Opinia w zakresie zgodności uchwalonej przez Sejm w dniu 29 września 2022 r. ustawy o przedłużeniu kadencji organów jednostek samorządu terytorialnego ze standardami demokratycznego państwa prawnego oraz o ewentualnych konsekwencjach niezgodności (druk senacki nr 814)*, <https://www.senat.gov.pl/prace/proces-legislacyjny-w-senacie/ustawy-uchwalone-przez-sejm/ustawy-uchwalone-przez-sejm/ustawa,1400.html> [access: 24.11.2022].

comfort of the bodies conducting elections or political parties in the context of settling campaign expenses on the one hand, and on the other sacrificing a greater good, i.e. electoral rights (active and passive) and making electoral decisions in confidence for a strictly defined term of office of a body elected in universal elections. In addition, according to the professor, this act is also in contradiction with: 'Art. 2 of the Constitution of the Republic of Poland, in connection with the principle of civil society – in relation to the effect of shifting the effects of the lack of previous legislative actions (including those regarding the provisions of the Act of 2018) onto the citizen and, as a consequence, ad hoc adoption of legal regulations regarding state authorities and institutions that do not sufficiently specify them *ratio legis*, and therefore contrary to the principle of citizens' trust in the state and the law enacted by it'<sup>28</sup>. The professor also argued that the act is contrary to: 'the principle of reliability and efficiency of public institutions, expressed in the preamble to the Constitution of the Republic of Poland, due to the lack of a complete proportionality test and the failure to demonstrate, from the perspective of entering the sphere of constitutionally guaranteed freedoms and rights of the individual – in this case, the rights elections (Article 62 of the Constitution of the Republic of Poland in conjunction with Article 31(3) of the Constitution of the Republic of Poland) – the necessity and indispensability of the legislative changes to be carried out'<sup>29</sup>. In addition, the expert pointed out that this Act is also in conflict with: 'Art. 165(2) in conjunction with Art. 16 of the Constitution of the Republic of Poland in terms of respecting the principle of protecting the independence of local government in connection with the lack of actual demonstration by the legislator that a specific constitutional value supports the adoption of such a solution'<sup>30</sup>. Finally, the Professor pointed out that Art. 3 of the Act of September 29, 2022 is contrary to: 'Art. 2 of the Constitution of the Republic of Poland in terms of the requirement to ensure proper *vacatio legis* – in view of the legislator's failure to meet the standards for introducing changes to the electoral law in a situation where the new regulations affect not only the turnout, but also the scope of election'<sup>31</sup>.

Marek Jarentowski, Chief Expert in the Legislative Office of the Chancellery of the Senate, was also against the act<sup>32</sup>.

<sup>28</sup> From the opinion of M. Jabłoński, read on October 19, 2022 by Chairman Krzysztof Kwiatkowski during a joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No. 272), and the Local Government and State Administration Committee (No. 185) - see shorthand record of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (no. 203), the Legislative Committee (no. 272), the Local Government and State Administration Committee (no. 185), <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885.1.html> [access: 16.11.2022].

<sup>29</sup> *Ibidem*.

<sup>30</sup> *Ibidem*.

<sup>31</sup> *Ibidem*.

<sup>32</sup> Statement of the Chief Expert in the Legislative Office of the Chancellery of the Senate M. Jarentowski of October 19, 2022 during a joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No. 272), and the Local Government and State Administration Committee (No. 185) - see shorthand record of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No.

Only senators representing the party whose deputies submitted the bill of the proceeded act and the deputy rapporteur spoke positively about the act. In their statements, they referred to the alleged numerous voices of local government officials they met (from various options, non-partisan and belonging to various factions - mostly non-partisan local government officials, not belonging to any political party), claiming that 'none of them sees extending tenure of some gigantic problem, and some are simply, I can say, even happy'<sup>33</sup>.

However, they did not give any specific examples. Therefore, the opponents appealed to their absence. For example, Senator Vadim Tyszkiewicz argued that, as you can see, all local government organizations are against changing the election date. He himself had not heard such a signal from local government officials that they would be worried if they could manage<sup>34</sup>.

The meeting of the commission was also attended by the Chairman of the National Electoral Commission, Sylwester Marciniak, who, referring to the opinion of prof. J. Flisa 'Calendar kaleidoscope', which was initially prepared in July 2022, pointed to many problems associated with the election calendar. According to the professor, these problems can be divided into 3 groups: uncertainty, tension and abuse. Without denying the opinions of experts in the field of constitutional law, the Chairman of the National Electoral Commission pointed out that despite the fact that the extension of the term of office of local government bodies would lead to the accumulation of parliamentary and MEP elections, this coincidence is much less problematic. In the former, about 10,000 candidates are put forward, in the latter, even less, while in the local government elections, almost 200,000 candidates (approx. 180,000). The scale of tasks related to conducting elections is therefore completely different. In addition, the discrepancy between the dates of elections to the parliament and the Euro-parliament is even two months – from 5-6 to 9 weeks, and in the case of elections to the parliament and local government from 2 to 6 weeks<sup>35</sup>.

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272), and the Local Government and State Administration Committee (No. 185), <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885,1.html> [access: 24.11.2022]; see also Legislative Office of the Chancellery of the Sejm, *Opinia do ustawy o przedłużeniu kadencji organów jednostek samorządu terytorialnego (druk 814)*, <https://www.senat.gov.pl/prace/proces-legislacyjny-w-senacie/ustawy-uchwalone-przez-sejm/ustawy-uchwalone-przez-sejm/ustawa,1400.html> [access: 24.11.2022].

<sup>33</sup> Statement of Senator K. Mróz of October 19, 2022 during a joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No. 272), and the Committee on Local Government and State Administration (No. 185) - see shorthand record of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No. 272), and the Local Government and State Administration Committee (No. 185), <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885,1.html> [access: 24.11.2022].

<sup>34</sup> Statement by Senator W. Tyszkiewicz of October 19, 2022 during a joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No. 272), and the Local Government and State Administration Committee (No. 185) - see shorthand record of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No. 272), and the Local Government and State Administration Committee (No. 185), <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885,1.html> [access: 24.11.2022].

<sup>35</sup> The parliamentary and local elections in 2023 can be separated not only by five weeks, but even by

As a result of the discussion held at the meeting, the joint Committees, taking into account rational, critical remarks, moved by a majority of votes (22 votes for, 11 votes against, 1 senator abstained<sup>36</sup>) to defeat the Act on the extension of the term of office of local government units passed by the Sejm on September 29, 2022.

On October 27, 2022, the Senate, taking into account the position of the Committee, adopted a resolution (paper no. 2744<sup>37</sup>) to defeat the act (voted: 95 for: 52 against: 42 abstained: 1<sup>38</sup>).

After its submission to the Sejm, on October 28, 2022, the Marshal referred the act again to the Committee on Local Government and Regional Policy in order to start work in committees on the position of the Senate. On November 3, 2022, a meeting of the Committee (No. 187)<sup>39</sup> was held, which, however, in its report requested the Sejm to defeat the Senate's resolution (print 2761)<sup>40</sup>. Despite the fact that at that session Krzysztof Kwiatkowski, Senator of the Republic of Poland, argued that the senators, when deciding to defeat the act, were also guided by the fact that the jurisprudence of the Constitutional Tribunal, which the applicants incorrectly referred to, was reflected in the belief that the legislator's freedom to the requirements for ensuring the reliability and efficiency of the operation of a public institution are met is greater in relation to institutions that are just being created, and the only legal basis for their operation is the constitutional provisions. In the case of institutions whose existence is provided for by the Constitution and which have been operating at least since its entry into force, the legislator's freedom in shaping the legal basis is smaller. The Senator also recalled that the Tribunal's judgment of 1998 concerned

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six, because the earliest date of the local elections is fully legal, September 23-24, and the latest parliamentary elections are November 5, i.e. 6 weeks difference.

<sup>36</sup> Shorthand transcript of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (no. 203), the Legislative Committee (no. 272), and the Committee on Local Government and State Administration (no. 185) on October 19, 2022, <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885,1.html> [access: 24.11.2022].

<sup>37</sup> Resolution of the Senate of the Republic of Poland of October 27, 2022, adopted at the 51st Session of the Senate on the Act on the extension of the term of office of local government units (paper no. 2744), <https://orka.sejm.gov.pl/Druki9ka.nsf/0/7A293F01B5C1FC43C12588E90030A514/%-24File/2744.pdf> [access: 24.11.2022].

<sup>38</sup> Voting No. 81 at the 51st session of the Senate of October 27, 2022 on the motion to defeat the act on extending the term of office of local government units, voted: 95 for: 52 against: 42 abstained: 1, <https://www.senat.gov.pl/prace/posiedzenia/glosowanie-drukuj,12261.html> [access: 24.11.2022].

<sup>39</sup> Full record of the meeting of the Local Government and Regional Policy Committee (187) of November 3, 2022, <https://orka.sejm.gov.pl/zapisy9.nsf/0/B321A2C0E2F4D831C12588FB0048F077/%-24File/0318509.pdf> [access: 24.11.2022].

<sup>40</sup> During the vote on the Commission's motion to defeat the Senate's motion to reject the act, 28 Commission deputies voted, 14 were in favor, 14 were against, no one abstained from voting, therefore the chairman, MP Tomasz Ławniczak (Law and Order PiS), stated that due to the fact that the motion of the Senate was not supported by the Committee and was not accepted by the Committee. Also, the representative of the Legislative Office, Przemysław Sadłoń, confirmed that due to the fact that the motion did not receive a majority, it should be assumed that the Commission will present a negative recommendation in the report.

the exceptional situation resulting from the establishment of new local government units – poviats and provinces, and that that judgment assumed the cumulative need to meet three conditions enabling the postponement of that date. The first of them was that such a change is necessary for the implementation of the constitutional value considered superior to the principle of constitutionality, and it is not the fear of losing local government or parliamentary elections by any environment. The second condition was that the effects of the regulation were in appropriate proportion to the degree of violation of the constitutional values underlying the principle of constitutionality. The senator reminded that ‘in the opinion of all the guests taking the floor, this constitutional value, protected, is more important than organizational or technical reasons, which are not shared by those who are directly responsible for ensuring the work of electoral commissions. In the opinions we could read, it was also pointed out to us that this change and changes in the law do not serve the interests of political entities participating in the elections, i.e. political parties, but serve the implementation of the rights of citizens. Legal norms shape the legal situation of citizens and it was citizens who elected local authorities for a specific term of office. The norm that should be protected is the citizen’s trust in the stability of the law and the inviolability of the term of office for which a given authority is elected. A citizen cannot be surprised by sudden and rapid changes, not only in the sphere of his social and economic rights, but also in the sphere of his electoral rights’<sup>41</sup>.

The very next day (November 4, 2022), at the 65th session of the Sejm, the position of the Senate was considered and a vote was taken on the motion to defeat the Senate resolution defeating the Act of September 29, 2022 on extending the term of office of local government units. 231 deputies voted for, 218 against, and 5 abstained from voting (vote no. 69)<sup>42</sup>, therefore the resolution of the Senate was defeated.

On November 7, 2022, the act was submitted to the President, who was expected to sign it (November 22, 2022). Due to his earlier statements<sup>43</sup>, it was known that the President would not veto the bill, despite the fact that, in his opinion, the argument in favor of keeping the statutory election date is that the Poles had agreed with their local government officials for a 5-year term of office, and that postponing the

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<sup>41</sup> Statement by Senator K. Kwiatkowski of November 3, 2022 at the meeting of the Local Government and Regional Policy Committee - see full record of the meeting of the Local Government and Regional Policy Committee (No. 187) of November 3, 2022, <https://orka.sejm.gov.pl/zapisy9.nsf/0/03D3FCF87D7B403CC12588FA004D7454/%24File/0303209.pdf> [access: 25.11.2022].

<sup>42</sup> Voting No. 69 at the 65th sitting of the Sejm on 4 November 2022 at 18:35:54 above point 16 of the agenda, in connection with the report of the Local Government and Regional Policy Committee on the Senate’s resolution on the act on extending the term of office of local government units (papers no. 2744 and 2761), <https://www.sejm.gov.pl/Sejm9.nsf/agent.xsp?symbol=glosowania&NrKadencji=9&NrPosiedzenia=65&NrGlosowania=69> [access: 25.11.2022].

<sup>43</sup> Cf. for example, (Law and Justice- PiS) wants to postpone the local government elections. What about Andrzej Duda? The Prime Minister answers, <https://tvn24.pl/polska/pis-chce-przesunac-wybory-samorzadowe-na-wiosne-2024-roku-prezydencki-minister-o-stansku-andrzej-dudy-6117844> [access: 25.11.2022].

elections would be a violation of this contract. In his opinion, however, it was more important that both for technical and political reasons, it would be very difficult to organize local and parliamentary elections on such a similar date<sup>44</sup>. Therefore, in mid-September 2022, he concluded an agreement with Law and Order (PiS), agreeing to extend the term of office of local government bodies by 6 months<sup>45</sup>. Therefore, it was also obvious that the President would not ask the Constitutional Tribunal to examine its compliance with the Constitution, because that would be risky.

## SUMMARY

All in all, work on the bill, which is episodic in nature (which was emphasized by the drafter all the time), although it introduces fundamental changes to the electoral law once, lasted less than two months. The Sejm itself took only 14 days to pass it. This became possible primarily due to the fact that it was a parliamentary draft, so it did not require public consultation. The Marshal of the Sejm asked local government organizations for their opinion, but unfortunately these opinions (all negative), although expressed at an express pace (they were received by the Sejm on the days of the first and second reading) did not convince the drafters to change their mind. The local government community did not support the idea of extending the term of office of the authorities, claiming that it was inconsistent with the Constitution. It is hard not to share these reasons. After all, according to the provisions of the Constitution of the Republic of Poland and the Electoral Code<sup>46</sup>, representative bodies are elected for a predetermined period – term of office. The primary purpose of electoral rights in a democratic state is to enable citizens to participate in the management of public affairs. By electing the local authorities, the inhabitants, in a sense, concluded a contract with them for 5 years. The Sejm should not deprive the nation of its sovereign rights, under the pretext of conflicting election calendars or for other reasons, change the rules of a kind of contract between the inhabitants and the heads of local governments<sup>47</sup>. Therefore, an attempt to extend the statutory term of office had to be met with strong opposition from local and regional communities. Regardless of the officially declared reasons, postponing the election dates raises suspicions of manipulation motivated by the desire to gain benefits for the political camp that made such a legislative operation.

<sup>44</sup> Cf. *Trudno byłoby zorganizować wybory samorządowe i parlamentarne w zbliżonym terminie*, <https://www.prezydent.pl/kancelaria/aktywnosc-ministrow/zdaniem-prezydenta-trudno-byloby-zorganizowac-wybory-samorzadowe-i-parlamentarne-w-zblizonym-terminie,58717> [access: 25.11.2022].

<sup>45</sup> Cf. *Jest decyzja ws. wyborów. Zapadła na Nowogrodzkiej*, <https://wiadomosci.wp.pl/nowy-termin-wyborow-pis-dogadal-sie-z-duda-6812195360754304a> [access: 26.11.2022].

<sup>46</sup> Act of January 5, 2011, Electoral Code, Journal of Laws of 2022, item 1277.

<sup>47</sup> Letter from the Marshal of the Pomeranian Province, Mieczysław Struh, containing comments to the bill, Form 2612, submitted to Dariusz Salomończyk, Deputy Head of the Chancellery of the Sejm, on September 28, 2022, via the Union of Provinces of the Republic of Poland, <https://orka.sejm.gov.pl/Druki9ka.nsf/0/CA79AC8AE02A2E2CC12588CB004FC36B/%24File/2612-001.pdf>, pp. 4-5 [access: 26.11.2022].

The adoption of this act directly affects an important constitutional value, which is the right of citizens to participate in fair elections to local government bodies. Therefore, this threatens the right of citizens to self-government.

In addition, the extension of the term of office of local government bodies is subject to the risk of questioning the legality of the operation of these bodies in the state of extending the term of office. This may fundamentally weaken the sense of legal certainty and the legal order, and may hinder the functioning of the courts, which may be burdened with cases resulting from the uncertainty of the systemic status of local government bodies. The entry into force of this law deepens the constitutional crisis. It creates a precedent of 'changing the rules of political competition in a way that suits the majority, so changing the rules of the game during the game in a way that is convenient for whoever wins: I play what I win, says one of the characters in one piece of work'<sup>48</sup>.

## References

### Normative acts

Act of 29 September 2022 on extending the term of office of local government units until 30 April 2024 and amending the Electoral Code, Journal of Laws, item 2418.

Act of 11 January 2018 amending certain acts in order to increase the participation of citizens in the process of electing, operating and controlling certain public bodies, amending the wording of Art. 16 of the Act on Commune Self-Government, Journal of Laws, item 130.

Act of January 5, 2011, Electoral Code, Journal of Laws of 2022, item 1277.

Resolution of the Sejm of the Republic of Poland of July 30, 1992, Regulations of the Sejm of the Republic of Poland, M. P. 2020, item 990.

Resolution of the Senate of the Republic of Poland of October 27, 2022, adopted at the 51st Session of the Senate on the Act on the extension of the term of office of local government units (paper no. 2744), <https://orka.sejm.gov.pl/Druki9ka.nsf/0/7A293F01B5C1FC43C12588E90030A514/%24File/2744.pdf>.

### Case law

Judgment of the Constitutional Tribunal of May 26, 1998, file ref. K. 17/98, OTK 1998/4/48.

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<sup>48</sup> Statement of R. Piotrowski of October 19, 2022, a member of the Team of Advisors for the control of the constitutionality of law at the Marshal of the Senate of the 10th term, at a joint meeting of the Commission - see full shorthand transcript of the joint meeting of the Committee on Human Rights, the Rule of Law and Petitions (No. 203), the Legislative Committee (No. 272), and the Local Government and State Administration Committee (No. 185) on October 19, 2022, <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885,1.html> [access: 26.11.2022].



## E-documents

Voting No. 4 at the 62nd sitting of the Sejm on 28 September 2022 at 12:41:31, conducted after the first reading of the parliamentary draft act on extending the term of office of local government units until April 30, 2024 and amending the act - Electoral Code (paper no. 2612) on the motion to defeat the bill in the first reading, <https://www.sejm.gov.pl/Sejm9.nsf/agent.xsp?symbol=glosowania&nrkadencji=9&nrposiedzenia=62&nrglosowania=4>.

Voting No. 23 at the 62nd sitting of the Sejm on 29 September 2022 at 15:44:30 regarding point 10 Report of the Committee of Local Government and Regional Policy containing a motion to proceed immediately to the third reading of the bill on extending the term of office of local government units until April 30, 2024 and amending the act - Electoral Code (paper no. 2612 and paper no. 2365) without reference to the Commission, <https://www.sejm.gov.pl/Sejm9.nsf/agent.xsp?symbol=glosowania&nrkadencji=9&nrposiedzenia=62&nrglosowania=23>.

Voting No. 26 at the 62nd sitting of the Sejm on September 29, 2022 at 15:45:48 over the entire bill, <https://www.sejm.gov.pl/Sejm9.nsf/agent.xsp?symbol=glosowania&nrkadencji=9&nrposiedzenia=62&nrglosowania=26>.

Voting No. 81 at the 51st session of the Senate of October 27, 2022 on the motion to defeat the bill on extending the term of office of local government units, <https://www.senat.gov.pl/prace/posiedzenia/glosowanie-drukuj,12261.html>.

Voting No. 69 at the 65th sitting of the Sejm on 4 November 2022 at 18:35:54 above point 16 of the agenda, in connection with the report of the Local Government and Regional Policy Committee on the Senate's resolution on the act on extending the term of office of local government units (papers no. 2744 and 2761), <https://www.sejm.gov.pl/Sejm9.nsf/agent.xsp?symbol=glosowania&NrKadencji=9&NrPosiedzenia=65&NrGlosowania=69>.

Opinion of the Legislative Office of the Chancellery of the Sejm, *Opinia do ustawy o przedłużeniu kadencji organów jednostek samorządu terytorialnego (paper 814)*, <https://www.senat.gov.pl/prace/proces-legislacyjny-w-senacie/ustawy-uchwalone-przez-sejm/ustawy-uchwalone-przez-sejm/ustawa,1400.html>.

Opinion of the Association of Polish Cities, <https://www.senat.gov.pl/prace/proces-legislacyjny-w-senacie/ustawy-uchwalone-przez-sejm/ustawy-uchwalone-przez-sejm/ustawa,1400.html>.

Full transcript of the meeting of the Local Government and Regional Policy Committee (No. 177) of September 28, 2022, <https://orka.sejm.gov.pl/zapisy9.nsf/0/03D3FCF87D7B403C-C12588FA004D7454/%24File/0303209.pdf>.

Full record of the meeting of the Local Government and Regional Policy Committee (187) of November 3, 2022, <https://orka.sejm.gov.pl/zapisy9.nsf/0/B321A2C0E2F4D831C12588FB-0048F077/%24File/0318509.pdf>.

Full shorthand transcript of the joint meeting of the Human Rights, Rule of Law and Petitions Committee (No. 203), Legislative Committee (No. 272), Local Government and State Administration Committee (No. 185), which took place on October 19, 2022, <https://www.senat.gov.pl/prace/komisje-senackie/przebieg,9885,1.html>.

Letter from Jakub Mielczarek, Director of the ZWRP (the Union of Provinces of the Republic of Poland) Office of September 28, 2022, on the submission of the comments of the

Marshal of the Mazowieckie Province and the Marshal of the Pomorskie Province to the parliamentary bill on extending the term of office of local government units until April 30, 2024 and amending the Act - Electoral Code, <https://orka.sejm.gov.pl/Druki9ka.nsf/0/CA79AC8AE02A2E2CC12588CB004FC36B/%24File/2612-001.pdf>.

Letter from Jakub Mielczarek, Director of the ZWRP (the Union of Provinces of the Republic of Poland) Office of September 29, 2022, on the submission of the comments of the Marshal of the Zachodniopomorskie Province and the Marshal of the Lubuskie Province to the parliamentary bill on extending the term of office of local government units until April 30, 2024 and amending the Act - Electoral Code, <https://orka.sejm.gov.pl/Druki9ka.nsf/0/21FAACE0601CAD26C12588CC0042A363/%24File/2612-002.pdf>.

Letter from the Speaker of the Sejm of the Republic of Poland, Elżbieta Witek, to the Speaker of the Senate of the Republic of Poland, Tomasz Grodzki, sending, in accordance with Art. 121 sec. 1 of the Constitution of the Republic of Poland, to the Marshal of the Senate for consideration by the Senate, the Act on the extension of the term of office of local government units passed by the Sejm of the Republic of Poland at the 62nd session on September 29, 2022, [https://www.senat.gov.pl/gfx/senat/userfiles/\\_public/k10/dokumenty/druki/800/814.pdf](https://www.senat.gov.pl/gfx/senat/userfiles/_public/k10/dokumenty/druki/800/814.pdf).

Letter from the Marshal of the Pomeranian Voivodeship, Mieczysław Struh, containing comments to the draft act, Form 2612, submitted to Dariusz Salomonczyk, Deputy Head of the Chancellery of the Sejm, on September 28, 2022, via the Union of Provinces of the Republic of Poland, <https://orka.sejm.gov.pl/Druki9ka.nsf/0/CA79AC8AE02A2E2CC12588CB004FC36B/%24File/2612-001.pdf>.

Bill of September 15, 2022 on extending the term of office of local government units until April 30, 2024 and amending the Act - Electoral Code (paper no. 2612), <https://orka.sejm.gov.pl/Druki9ka.nsf/0/6C3235AA57D36964C12588C2004ACAD7/%24File/2612.pdf>.

Report of the Committee of Local Government and Regional Policy (paper no. 2635) of 28 September 2022 on the parliamentary bill on extending the term of office of local government units until 30 April 2024 and amending the act - Electoral Code (paper no. 2612), <https://orka.sejm.gov.pl/Druki9ka.nsf/0/C64BD71F7F06BE18C12588CB0050C2AC/%24File/2635.pdf>.

Report of the Human Rights, Rule of Law and Petitions Committee, the Local Government and State Administration Committee and the Legislative Committee of 19 October 2022 (paper no. 814 A) on the Act on the extension of the term of office of local government units passed by the Sejm on 29 September 2022 After considering the act at the meeting on October 19, 2022, [https://www.senat.gov.pl/gfx/senat/userfiles/\\_public/k10/dokumenty/druki/800/814a.pdf](https://www.senat.gov.pl/gfx/senat/userfiles/_public/k10/dokumenty/druki/800/814a.pdf).