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COMMUNICATION IN THE PROCESS OF MAKING LOCAL LAW BY BODIES OF LOCAL GOVERNMENT UNITS



ABSTRACT

The aim of the article is to analyse legal measures that shape the process of local law making by LGUs in the aspect of identification of participants in this process and their communication-related obligations. The analysis is aimed at determining the extent to which the forms of communication of the entities involved in it, available and sometimes necessary at various stages of the legislative procedure, have an impact on the final content of legal measures. Since authorities that make local law need to communicate with the environment and to ensure the flow of information within the structure of the administrative apparatus, it is justified to group the assigned duties into those carried out as part of external and internal communication respectively. The text also highlights the effectiveness of specific forms of communication used at various stages of the legislative process.

The analysis and interpretation of the existing legal measures required the method of investigation of the law in force. In turn, the investigation of and comparison of views of legal scholars and commentators on communication in the process of law-making required the theoretical legal method.

KEYWORDS: *communication, local law making, legislative procedure, local government*

INTRODUCTION

Communication in the lexical sense is understood as interaction, transmission of information, provision of news (Dubisz, 2003, p. 192). The term *communication* belongs to the legal language and the legislator uses it, among other things, to define means of electronic communication (Article 2(5) of the Act of 18 July 2002 on electronic service provision, consolidated text, Dz. U. (Journal of Laws) of 2024 item 1513 as amended), specifying the method of communication between the contracting authority and contractors in the public procurement procedure (Articles 61-70 of the Act of 11 September 2019 Public procurement law, consolidated text, Dz. U. (Journal of Laws) of 2024 item 1320) or the method of communication between the contracting authority and contractors in the procedure for the conclusion of a concession contract (Article 14 of the Act of 12 October 2016 on the concession contract for construction works and services, consolidated text, Dz. U. (Journal of Laws) of 2023 item 140). In doctrinal terms, communication limited to the structures of public

administration and its relations with entities located outside these structures is presented by exposing its characteristic elements. These include communication with the environment, internal flow of information, the way it is collected, processed and archived, and how it is made available to citizens (Ociepka, 1999, p. 147). Local government, which is part of public administration structures, also participates in a planned and organized manner in the process of communication, including with members of the local government community. At the same time, it implements the adopted information policy, which is attributed a number of important functions, such as implementation of the right of citizens to information, internal and external promotion of a given entity or building understanding and trust between the authorities and members of a given community. The catalogue of these functions expands with the increase of citizens' awareness and the formation of civil society (Szostok, 2018, p. 54).

Whereas administration operates in the external and internal spheres (J. Lang, 1997, p. 19; Ruczkowski, 2020, p. 36), it is also the communication processes undertaken by it that can be situated in each of the specified spheres (Smalec, 2010, pp. 330-331). Internal communication is understood as a communication mechanism functioning within an entity's organizational structure. It is considered necessary for the proper implementation of the objectives and tasks of the entity, about which employees should have adequate information. The flow of this information within the internal communication must travel both from the unit manager to the employees and in the opposite direction (Tubek, 2022, p. 115). The effectiveness of internal communication in local government administration is significantly determined by the efficient circulation of information, the methods of its collection and dissemination (Serafin, 2013, pp. 140-141). In turn, external communication is carried out between the bodies of local government units and entities located outside the structures of local government administration. This type of communication is the basis for forming a common identity, a sense of attachment to the place of residence, building awareness of common interests, as well as engaging in matters relevant to the community. The involvement of residents of local government units in the implementation of the affairs of a given community contributes to raising awareness, strengthens their position in relation to the bodies of that unit, but also promotes the building of trust in the authorities (Tubek, 2022, p. 118).

The literature notes that communication undertaken by local government units is particularly important in the implementation of their tasks, including meeting the current needs of members of a given community. It also turns out necessary when planning long-term activities, developing programs or strategies concerning the local government community (Smalec, 2010, p. 327). Communication is also fundamental for the procedure of local law-making by LGU bodies, because it can significantly affect the degree of interest in this process and external entities' involvement in it.

THE SUBSTANCE OF THE LEGISLATIVE PROCEDURE

Making acts of local law by LGU bodies is done through proceedings involving an orderly sequence of actions that make up the legislative procedure. The exception is urgent cases of its establishment justifying the issuance at the level of a commune and poviat of orders by the executive bodies of these units. However, due to the specific nature of these acts and the conditions for issuing them, this study will not include their characterization.

The sequence of actions covered by the legislative procedure must be observed, and individual actions cannot be omitted, as this would interfere with the proper course of the legislative process (Szewc, Szewc, 1999, p. 56). In turn, maintaining certain procedural requirements during the process of creating local law acts is one of the formal conditions for their validity (Dąbek, 2009, p. 221).

In the current legal situation, there are no statutory regulations that shape the legislative procedure universally and comprehensively. In fact, there are legal solutions in place that specify the mode of establishing a specific act of local law. Articles 17-20 of the Act of 27 March 2003 on spatial planning and development (hereinafter SPDA) (consolidated text, Dz. U. (Journal of Laws) of 2024, item 1130) is an example here. It regulates the procedure for drawing up a zoning plan of a commune. This lack of universal statutory regulations that would determine the process of establishing local law acts is partly supplemented by the provisions of statutes of local government units. However, they vary in the degree of detail in this regard.

The literature notes several stages of the legislative procedure, which include the legislative initiative, drawing up of a draft resolution, technical preparation of a draft resolution, presentation of a draft resolution to the council, submission of a draft resolution to the council for examination, procedural requirements for adopting a resolution, submission of a resolution for promulgation (Dąbek, 2009, p. 236). Communication activities should be undertaken at each of the specified stages of the procedure, sometimes taking normative forms, implemented internally and externally, involving its participants.

COMMUNICATION AT THE STAGE OF INITIATING THE LEGISLATIVE PROCEDURE AND PREPARING THE DRAFT RESOLUTION

The legislative procedure is initiated by qualified entities who launch a legislative initiative. The concept of *legislative initiative* is not defined in the acts of the statutory rank. Legal scholars and commentators note that the resolution-giving initiative entails authorizing a given entity to put forward a draft resolution to the law-making and supervisory body or the executive body (Szewc, Szewc, 1999, 58). When specifying the meaning given to this concept, it should be pointed out that the legislative initiative includes not only the right, but sometimes also the obligation of certain entities to present to the law-making and supervisory body a proposal to regulate certain matters in the form of draft normative acts together with a financial simulation of the consequences of their adoption, with a simultaneous obligation of the law-making authority to consider them (Dąbek, 2009, p. 236, Wierzbica, 2014, p. 358).

In shaping the institution of a civic legislative initiative, the legislator indicated the conditions enabling the residents of a local government unit to exercise their right. Under local government laws (Article 41a of the Act of 8 March 1990 on commune self-government, consolidated text, Dz. U. (Journal of Laws) of 2025, item 1153 (hereinafter CSDL); Article 42a of the Act of 5 June 1998 on powiat self-government, consolidated text, Dz. U. (Journal of Laws) of 2024, item 107, as amended (hereinafter PSGL); Article 89a of the Act of 5 June 1998 on voivodeship self-government, consolidated text,

Dz. U. (Journal of Laws) of 2025, item 581) (hereinafter VSGL), a group of residents of a given territorial self-government unit, who hold the right to vote for the law-making authority, may submit a civic legislative initiative. The size of this group depends on the number of residents of a given commune, poviát or voivodship. A draft resolution put forward as part of a citizens' resolution-giving initiative becomes subject of discussion of the law-making authority at the closest session after the draft is submitted, though no later than after 3 months of submission. The legislative initiative committee has the right to designate persons authorised to represent the committee in the work of the law-making body. The above-mentioned regulation shows that the initiation of the legislative procedure by members of a local government community requires efficient external communication in the first place. It turns out to be necessary between them already at the stage of setting up the legislative initiative committee and when this committee appoints persons authorized to represent it during the work of the LGU's law-making body and its committee. Next, communication is required when drafting the text of the resolution, often with the participation of an attorney-at-law or another person with substantive knowledge. At this stage, it is crucial for the committee to promote the draft resolution, because a clear message about the intention of the draft author and the expected results of the planned legal measure will be decisive for obtaining the support of members of the local government community. After collecting the required number of signatures of residents advocating for the proposed legal regulations, a request for adoption of a resolution is submitted to the president of the law-making and supervisory body. In terms of efficiency of proceedings, it is important that the proposal be complete, and thus contain annexes in the form of a draft resolution with justification, lists of residents supporting the draft and lists of members of the legislative initiative committee. The president of the law-making body should verify the request and in the event of finding insufficient number of required signatures of residents supporting the legislative initiative, set a deadline to remove the shortcomings (§9(5) of Resolution no. LXXVIII/2055/24 of the Wrocław City Council of 15 February 2024 on detailed rules for submitting citizens' initiatives, establishing committees for these initiatives, formal requirements to be met by submitted drafts and rules for their promotion, Dz. Urz. Woj. Dolno. (Official Journal of Lower Silesia), 2024, item 1357).

Internal communication becomes more important at the next stage of implementation of the civic legislative initiative by members of the local government community. It takes place between the president of the law-making and supervisory body and the executive body of the local government unit in a situation where the former sends the draft resolution to the executive body for verification of the lists of residents expressing support, legal analysis and any corrections that may be necessary. Then the president of the law-making and supervisory body should register the draft and disseminate information about it by publishing it in the local authority's Public Information Bulletin. In addition, it would be advisable for the president of the council or the local assembly to inform the legislative initiative committee about the place and date of the session of the law-making body and its committee during which the draft will be examined and discussed. Such information provided in good time would enable those authorised to represent the committee to be properly prepared to attend the session and to request the opportunity to speak.

It should be emphasized that despite the right of legislative initiative granted to residents of a local government unit, legal solutions contained in special laws sometimes exclude the possibility of initiating a legislative procedure. Article 13i(1) and (2) SPDA is an example here, pursuant to which before drawing up a general plan draft, the municipal council adopts a resolution on proceeding to drawing up the general plan. It is adopted on its own initiative, at the request of the commune head, mayor or city president or as a result of a notification as part of a civic legislative initiative. The proposal addressed to the municipal council expresses the intention of the initiator, which can be taken into account by the governing body, which is expressed by the resolution on proceeding to the preparation of the general plan. This resolution constitutes an announcement of the initiation of a planning procedure, the essential element of which is internal and external communication, reflected in the obligations specified in Article 13i(3) SPDA.

Residents of a local government unit are not the only group of entities that have the right of legislative initiative. This right is also granted in certain categories of cases to the commune head (Article 18(2)(3) CSGL), poviát head (Article 37(1) PSGL), voivodeship marshall (Article 44(1) VSGL);, to entities representing stakeholders (Article 5b(2)(2) CSGL); Article 3f(2) PSGL),

to at least 1/4 of the statutory composition of the of the decision-making body (Article 19(4) CSGL; Article 14(4) PSGL; Article 20(4) VSGL), or to the audit committee (Article 18a(3) CSGL; Article 16(3) PSGL; Article 30(3) VSGL). It should also be noted that the catalogue of entities equipped at the statutory level with the right of legislative initiative has been supplemented by the legislator in statutory regulations.

The preparation of a draft resolution is inextricably linked with the adoption of the resolution. Preparation of the draft resolution includes a set of steps and activities aimed at preparing a written document that expresses the content of the intended resolution, appropriate in terms of content and form, to become the subject of the examination of the local government body and to take the form of a resolution of this body (Szewc, Szewc, 1999, p. 67). These steps and activities should aim to implement any formal requirements prior to the submission of a draft resolution to the law-making body for examination. These activities include, for example, the proper construction of the form and content of the draft and ensuring opinions on it required by law (Dąbek, 2007, p. 210). The legislator, in principle, entrusted the preparation of draft resolutions to executive bodies (Article 30(2)(1) CSGL; Article 32(2)(1) PSGL; Article 41(2)(4) VSGL), In addition, draft resolutions may also be prepared by the commune council, the president of the council, council committees, councillors, as well as by the residents of the commune who take a civic legislative initiative (Jagoda, 2016, p. 716; Szewc, Szewc, 2006, pp. 175-176). Paralel competences need to be attributed to the identified entities operating at the level of a poviát and voivodeship self-government. At the stage of preparing the draft resolution, an important role is played by internal communication between the employee of the organizational unit preparing the draft resolution and the manager of that unit, between the employees of the organizational and legal department, an attorney-at-law and the executive body. The exchange of information between the specified entities affects the substantive preparation of the draft resolution and the effectiveness of the works on it.

Preparation of the draft resolution may be preceded by public consultation. This form of public participation is sometimes used even before the legislative procedure is initiated. The essence of public consultation is the expression by the members of the public, by voting, of their position on

the matter presented. However, the results of the consultation are not binding on public authorities (Olejniczak-Szałowska, 2002, p. 18). The consultation is aimed at supporting the entity obliged to issue a decision by providing the decision-maker with expertise or opinions of persons directly interested in the content of the decision (Marchaj, 2016, p. 27). In the process of law-making, the consulted entities are basically residents of local government units, who can express their opinions on the fragments of the proposed solution or its whole and formulate their own proposals.

The flow of information and opinions between the consulting and consulted entities is an essential element of consultation. Therefore, an information campaign is carried out on the subject of the consultation and on the planned consultation activities. For this purpose, the Public Information Bulletin and the website of the local authority, as well as other information channels adapted to the process and nature of the consultation, are used. In addition, other forms of information campaign may be employed, such as traditional and electronic correspondence; distribution of leaflets, brochures and posters; information, advertisements and articles in local and online media (§ 8(4) of Resolution no. XXXVIII/276/71/2017 of the Płońnica Commune Council of 30 October 2017 on the establishment of rules and procedures for conducting public consultations with residents of the Płońnica Commune, *Dz. Urz. Woj. Warmińsko-Mazurskiego* (Official Journal of the Warmińsko-Mazurkie Voivodeship) of 2017 item 4770). Specific obligations regarding the dissemination of information on public consultation have been formulated by the legislator for the executive body of the commune participating in the planning process, which should materialize the principle of transparency when implementing them. It was obliged to provide information on consultation in such a way that takes into account the needs of entities receiving it in electronic form and the needs of digitally excluded persons.

One of the factors determining the scope of communication of the participants of the public consultation is the form of the consultation. The LGU's law-making body, when specifying in the resolution the rules and procedure for conducting public consultation, usually also formulates a catalogue of possible forms of consultation. This catalogue may include various manners, including, but not limited to, collecting written or electronic comments, surveys

(including surveys carried out via a dedicated website), open meetings with local residents, public reception of comments, outdoor consultation, draft-related workshops leading to the development of proposals, traditional or electronic voting, opinion and consultation teams, comment and request boxes placed in the building of the commune office, presentation of texts for public inspection (§ 5(2) of Resolution no. XXXIX/48/2021 of the Sadki Commune Council of 28 October 2021 on the rules and procedure for conducting public consultations with residents of the Sadki Commune, Dz. Urz. Woj. Kujawsko-Pomorskiego (Official Journal of the Kujawsko-Pomorskie Voivodeship) of 2021 item 5388). The choice of the form of consultation should take into account the needs of the self-governing community and enable its members to participate effectively in the consultation. The representatives of the judiciary point out that it is not sufficient to conduct formal public consultation that is just apparent (judgment of the Voivodeship Administrative Court of 8 September 2021, II SA/Bd 500/21, LEX no. 3252567).

However, it should be stressed that in the case of some acts of local law, the legislator made public consultation an obligatory element of the procedure for their adoption, while at the same time deciding on how it may be used. This group of legal acts includes, inter alia, spatial planning acts. Pursuant to Article 8i(1) SPDA, the catalogue of forms of public consultation includes collecting comments, open meetings, expert panels or workshops preceded by the presentation of the draft spatial planning act, outdoor meetings or study walks organized in the area covered by the spatial planning act, surveys or geosurveys, interviews, conducting a consultation point or designer's duty hours. The organizer of the consultation was obliged to employ the following forms: collecting comments, one of the following: open meetings, expert panels or workshops, preceded by a presentation of the draft spatial planning act, and one of the other forms.

Submitting a draft resolution for examination by an LGU's law-making body has to be preceded by obtaining the required opinions. The essence of collecting opinions on the draft is for the opinion-giving entity to express their view on the legitimacy and correctness of the measure stipulated in the draft resolution and the opinion is issued in matters falling within the scope of operation of the opinion-giving entity (Dąbek, 2003, pp. 281-282).

The bodies giving opinions on draft resolutions are primarily the committees of the law-making body competent for the subject matter of these drafts. When preparing an opinion, they have the opportunity to thoroughly analyse a given draft, remove irregularities arising at the previous stage of its preparation or request that the law-making authority amend the draft (Czerw, 2007, pp. 205-206). When performing these activities, members of the committee communicate with each other and with the LGU's law-making body. Similar communication with the bodies of the local government unit is carried out by numerous entities located outside its structure, which, at the will of the legislator, participate in giving opinions on draft resolutions. These include, inter alia, relevant statutory bodies of trade unions (Article 19(2) of the Act of 23 May 1991 on trade unions, consolidated text, Dz. U. (Journal of Laws) of 2025, item 440), employers' organizations (Article 16(2) of the Act of 23 May 1991 on employers' organizations, consolidated text, Dz. U. (Journal of Laws) of 2025, item 423) the voivodship conservator-restorer (Article 16 of the Act of 23 July 2003 on protection of and care for historical sites and buildings, and numerous entities listed in Article 17(6)(a) SPDA who issue opinions on the draft local zoning plan. In addition to the obligation to have the draft resolution opinioned, the legislator sometimes formulates in substantive laws the requirement to agree it with the competent authorities. This agreement is given more importance than the opinion requirement, because not only does it allow for a position to be expressed, but it also requires the consent of another body to the proposed solution contained in the draft resolution (Rakoczy, 2010, *Lex/el.*). Provisions of 17(6)(b) SPDA may serve as an example here. They oblige the commune executive body to agree a draft local plan with the specified authorities and entities. The implementation of this obligation will involve communication of the commune's executive body with the authorities competent to take a position on the submitted draft.

COMMUNICATION AT THE STAGE OF EXAMINATION OF THE DRAFT RESOLUTION AT THE SESSION OF THE LAW-MAKING AND SUPERVISORY BODY

The draft resolution, subject to consultation, opinion and possible agreement, is submitted for examination of the LGU's law-making and supervisory body. The legislator did not regulate the procedure for such submission, but possible legal measures in this respect are formulated in the statutes of individual units. The literature notes that the analysis of the provisions of the statutes justifies the claim that two ways of presenting the effects of the drafter's work to the commune council are used. The first way is to submit the draft to the president of the council or to another entity specified in the statute responsible for preparing materials for the session. The second way boils down to presenting the draft directly at the session by the applicant or, on his behalf, by the person presiding the session (Szewc, Szewc, 1999, p. 71).

Processing a draft resolution at the session of the LGU's law-making and supervisory body has been regulated in a fragmented manner at the statutory level. However, it is possible to determine the sequence of actions that make up the session procedure. These include the president opening the session and checking the quorum, councillors adopting the agenda and examination of individual items.

Specific draft resolutions shall be submitted by the draft author or by a person acting on his behalf. After the presentation of the draft, opinions on it are received. During the examination of the draft resolution, the chair of the session should give the floor to representatives of the councillors' clubs and representatives of committees that issued opinions on the draft resolution to the executive body, if it was not the draft author. After that, a discussion is held at which amendments to the draft resolution may be submitted and the chair of the session has the right to give the floor to its participants. The opportunity to speak is generally determined by the order in which requests to speak are made, but in justified cases the right to speak should be exercised outside the order adopted. The statutory regulations provide for the possibility to take the floor during the discussion by the presidents of the management boards of auxiliary units, representatives of organizational units, trade unions, other organizations or persons whose legal interest the resolution

concerns (§ 40(1) of the Regulations of the Szczecin City Council, Schedule 1 to the Statute of the City of Szczecin; Resolution No. VI/189/19 of the Szczecin City Council of 23 April 2019 on the adoption of the Statute of the City of Szczecin, Dz. U. Woj. Zachodniopomorskiego (Official Journal of the Zachodniopomorskie Voivodeship 2019, item 3021).

It is advisable that the frequency of statements-giving by the participants of the discussion and the time allotted for the speech should be specified in the statute of the local self-government unit or the by-laws of the law-making authority. At the end of the discussion, the chair gives the draft author the opportunity to comment, in order to provide any answers and explanations or to submit self-amendments.

At this stage of the proceedings on the draft resolution, it is also possible for the councillors to come to the conclusion that the draft should not yet be accepted and to postpone the vote on it. It may be returned to the draft author for additions and amendments, sent back to the committee or given to experts to express their opinion on it. It is also permissible for councillors to assess the draft resolution submitted to examination as not worthy of approval and to adopt a resolution to reject it.

The processing of a draft resolution at the session of the law-making and supervisory body creates optimal conditions for communication in the internal sphere, as well as between competent authorities and members of the community or their organizations. In the first case, the presentation of the opinion or agreements serves to improve the substantive values of the act being prepared and to confront different positions or views. In the second case, members of the local government community participating in the discussion and other entities allowed to participate in it may comment on the proposed legal solutions, submit reasoned requests for their amendment, trying to influence the content of the legal measures adopted. The participation of residents in the discussion also serves to develop their communicative attitudes.

The next step in the legislative procedure is to proceed to the vote. The adoption of a resolution by the LGU law-making and supervisory body requires fulfilment of conditions necessary for its validity, which include the establishment of a quorum and the adoption of a decision by a simple majority in a public vote. The legislator, stipulating in Article 14(1) ,

Article 13(1) PSGL and Article 19(1) VSGL), that the resolutions of the commune council are passed by a simple majority of votes in the presence of at least half of the statutory composition of the council, in an open vote, unless the law provides otherwise, specified the requirement of the resolution-giving capacity (quorum), legitimacy (majority) and voting method (open or secret) (Szewc, 2012, p. 207). The resolution-giving capacity of the LGU's law-making authority (quorum) means the number of its members whose presence enables the adoption of a resolution. However, this is not the number of people who must participate in the act of voting (i.e. vote) (judgement of the Supreme Administrative Court of 21 November 2006, II GSK 194/06, LEX no. 290143). Referring, in turn, to the required majority, it should be pointed out that the rule is to adopt resolutions by a simple majority of votes, unless a provision of the Act provides otherwise. A simple majority means that there must be more councillors opting for the adoption of the draft resolution than those against it. In this voting mode, abstentions are not taken into account. The legislator also determined the manner of voting, adopting open voting as the principle for passing resolutions. The established line of judicial decisions of administrative courts emphasizes that the introduction of the principle requiring the adoption of resolutions by LGU's law-making bodies in an open vote is linked primarily with the implementation of the constitutional principle – the right of citizens to obtain information about the activities of public authorities and persons performing public functions. Deviations from the rule of adopting resolutions in an open vote may only occur under the statute (judgment of the Voivodeship Administrative Court of 1 July 2020, IV SA/Po 613/20, LEX no. 3032732).

Resolutions adopted during the session of an LGU's law-making body should be signed by the president of that body. Although no obligation to sign them has been imposed on the president of the commune council *expressis verbis*, it can be derived from the provisions of Article 43(2) PSGL and Article 89(2) VSGL that concern local law. The obligation incumbent on the president of the council (local assembly) was limited to resolutions that are acts of local law. However, in Article 15(1) of the Act of 20 July 2000 on the promulgation of normative acts and certain other legal acts (consolidated text, Dz. U (Journal of Laws) of 2019, item 1461), the legislator assumed that an act in the form of an electronic document bearing a qualified electronic signature of an authority competent to issue such an act is the

basis for the promulgation of a normative act or other legal act. Therefore, in the case of resolutions that are acts of local law, the lack of a signature means they may not be promulgated, which in turn determines their entry into force. With the above in mind, it should be assumed that despite the lack of a direct obligation for the president of the commune council to sign resolutions adopted during the session, such a requirement undoubtedly exists for resolutions that are acts of local law.

COMMUNICATION AT THE STAGE OF PROMULGATION OF A RESOLUTION THAT IS AN ACT OF LOCAL LAW

The final stage of the legislative procedure is the promulgation of an act of local law. The promulgation of a normative act is a particularly important conventional act, the essence of which consists in making legal norms established by a competent entity become effective only after they have been made public in a way that makes it possible for residents to read them (Kunert, 2007, p. 107). The promulgation of a resolution has an informative value, but is also an expression of the demand of transparency of the law. Normative acts made public in an appropriate form may bind, have legal effects and provide the basis for the obligation to comply with them (Radziejewicz, 2021, LEX/el.). Article 88(1) of the Constitution (Constitution of the Republic of Poland of 2 April 1997, Dz. U. (Journal of Laws) of 1997, No. 78, item 483, as amended) provides for the requirement to promulgate a normative act, conditioning its entry into force. The promulgation of a normative act should, at that, be made in a correct manner. This correctness means providing information about the content of the law in force under two conditions. The first one will be met if the promulgation is made in a legally specified manner, by making the text available to the public. The second condition will be met if the promulgation is made in a way that allows the addressees concerned to actually become acquainted with the law, which also implies an order of distribution of the text (Ciapała, 2004, p. 89). Failure to comply with the obligation of correct promulgation of a normative act is tantamount to a significant violation of the law, because such an act cannot bind the addressees by the legal norms created therein and does not have a legal effect (judgment of the Supreme Administrative Court of 28 November 2018, II OSK 2879/16, LEX no. 2625214; judgment

of the Supreme Administrative Court of 3 November 2010, I OSK 1213/10, LEX 744957).

Pursuant to the provisions of Article 2(1) of the Act on promulgation of normative acts and certain other acts (hereinafter: Promulgation Act), the promulgation of a normative act in the Official Journal is mandatory. In turn, pursuant to Article 13(2) of the Promulgation Act, the following acts must be published in a voivodship official journal: acts of local law adopted by the voivodship assembly, the poviát authority and the commune authority, including statutes of the voivodship, poviát and commune. On the other hand, public policy regulations, regardless of the obligation to promulgate them in the voivodship official journal, are also published by means of notices as well as in a manner customary in a given area or in the mass media. Failure to comply with the obligation of correct promulgation of a normative act is tantamount to a significant violation of the law and such an act cannot bind the addressees by the legal norms created therein and does not have a legal effect (judgment of the Voivodeship Administrative Court of 8 October 2019, II SA/OI 499/19, LEX 2736149.)

The promulgation of an act of local law is a prerequisite for its entry into force. Pursuant to Article 4(1) of the Promulgation Act, normative acts containing generally binding provisions published in official journals enter into force after fourteen days from the date of their promulgation, unless a given normative act specifies a longer period.

CONCLUSIONS

The complexity of the process of making local law acts by LGU bodies and the participation of many entities in it require efficient communication from the participants of this process. The intensity of internal and external communication activities undertaken at different stages of the legislative procedure varies and is intended to achieve the results expected at a given stage of the procedure.

Initiating the legislative procedure requires external communication activities aimed at providing the intention of the draft author, the expected effects of the legal measures planned and promoting the draft resolution.

The effectiveness of the communication measures taken at this stage has an impact on the possible acceptance of and support for the introduced regulations, primarily by members of the local government community. The involvement of LGU residents in the process of making local law increases their involvement in the affairs of the local self-government community and strengthens their position vis-à-vis the bodies of a given unit.

In the course of further proceedings with the draft resolution, internal communication becomes more important, which, if carried out according to set methods and models, enables proper preparation of the draft act in terms of its content and the forecasting of its effects and serves to increase the effectiveness of works on it. In the next stages of the legislative process, communication activities in the external sphere play an important role, reflected in the public consultation, discussion organized at the session of the law-making and supervisory body and in the obligation to promulgate an act of local law. A well-conducted public consultation, allowing for the exchange of information and opinions between the consulting and the consulted body, creates conditions for stakeholders to voice their views on parts or the whole of the proposed solution and to make their own proposals. A discussion during the session of the law-making and supervisory body facilitates confrontation of different views and positions and the reporting of justified changes in the draft. On the other hand, the promulgation of a resolution that is an act of local law which meets the statutory requirements determines its entry into force.

The impact of communication on the process of establishing local law acts and its results is significant. However, it should be believed that comprehensive regulation at the statutory level of the legislative procedure would highlight its importance and unify the information activities carried out.

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