

**THE STATUTE
OF THE CAPITAL CITY OF WARSAW**

WARSAW, 2008

PREAMBLE

“We, the Council Members of the Capital City of Warsaw,
aware of our ministerial role towards the City,
mindful of the fact that whatever we do, we do it as representatives of its
citizens to whom we are responsible,
keeping in our hearts and minds the hundreds of years of the Capital’s history,
reverential of our forefathers, whose huge sacrifices ensured
that Warsaw remained an unsubjugated city,
thankful to the previous generations for their labour to revive the City from
ruins,
confident that while working for our City, we will not lack in strength and
perseverance, whose source many of us find in their faith in God
and all of us in the faith in the deep sense of public service,
concerned about our common good:
Warsaw – the Capital of the Republic of Poland,
wishing to provide our City with efficient and fair governance
and the most complete and just fulfilment of its inhabitants’ needs,
drawing on the principles of subsidiarity and decentralisation as the foundation
of the Polish self-government legislation and in compliance with it, further
describing the competences of the City and its Districts provided for in the law,
on the basis of the rights stemming
from the Constitution of the Republic of Poland and the law
and in agreement with the Prime Minister,
w e h e r e b y a d o p t
the Statute of the Capital City of Warsaw
and call on everyone concerned
to observe it as an imprescriptible order.”

Chapter I

General provisions

§ 1

1. The Capital City of Warsaw is a municipal borough with the powers of the county.
2. The inhabitants of the Capital City of Warsaw form a self-government community.
3. The territory of the Capital City of Warsaw is comprised of the area with the limits specified in Attachment no. 1 to the Statute.
4. The Capital City of Warsaw has a legal character, and its sovereignty is subject to judicial protection.

§ 2

Whenever there is reference in the Statute to:

- 1) City – it should be understood as the Capital City of Warsaw;
- 2) City Council – it should be understood as the Warsaw City Council, which is the regulatory and supervisory body of the Capital City of Warsaw;
- 3) Chairperson of the City Council – it should be understood as the Chairperson of the Warsaw City Council;
- 4) Deputy Chairperson of the City Council – it should be understood as the Deputy Chairperson of the Warsaw City Council;
- 5) council member – it should be understood as a member of the Warsaw City Council;
- 6) Mayor – it should be understood as the Mayor of Warsaw;
- 7) Deputy Mayor – it should be understood as the Deputy Mayor of Warsaw;
- 8) City Clerk – it should be understood as a City Clerk of the Capital City of Warsaw;
- 9) Treasurer – it should be understood as the Treasurer of the Capital City of Warsaw;
- 10) City of Warsaw – it should be understood as the organisational unit with which the Mayor of Warsaw performs tasks;
- 11) district – it should be understood as the auxiliary unit to the Capital City of Warsaw;
- 12) district council – it should be understood as the regulatory and supervisory body of the Warsaw district;
- 13) district board – it should be understood as the executive body of the Warsaw district;
- 14) mayor of the district – it should be understood as the chairperson of the Warsaw district board;
- 15) district office – it should be understood as the part of the City of Warsaw proper to a given district;
- 16) Statute – it should be understood as the Statute of the Capital City of Warsaw;
- 17) district statutes – it should be understood as the statutes of the Warsaw districts;
- 18) Warsaw Act – it should be understood as the Act of 15 March 2002 on the organisational system of the Capital City of Warsaw (Journal of Laws of 2002 no. 41, item 361; of 2002 no. 127, item 1087; and of 2006 no. 249, item 1826).
- 19) Act on borough self-government – it should be understood as the Act of 8 March 1990 on borough self-government (Journal of Laws of 2001 r. no. 142, item 1591; of 2002 no. 23, item 220, no. 62, item 558, no 113, item 984, no 153, item 1271, no 214, poz. 1806; of 2003 no 80, item 717 no. 162, item 1568; of 2004 no 102, item 1055, no. 116, item 1203; of 2005 no. 172, item 1441, no. 175, item 1457; of 2006 no. 17, item 128, no. 181, item 1337; of 2007 no. 48, item 327, no. 138, item 974 i no. 173, item 1218)

§ 3

1. The City performs public tasks on its own behalf and at its own responsibility through its own bodies and district bodies.
2. The division of tasks into those performed by the City bodies and those performed by the district bodies, and the relations between the City bodies and district bodies, are regulated by the laws, the Statute and other regulations of the City Council.

§ 4

1. The City coat of arms is the picture of the Siren. The pattern of the coat of arms is determined in Attachment no. 2 to the Statute.
2. The City colours are yellow and red arranged as two horizontal, parallel strips of the same width, where the top one is yellow and the bottom one is red. The pattern is determined in Attachment no. 3 to the Statute.
3. The districts may use their own coat of arms next to the City coat of arms and colours. The district coat of arms is determined by the district statute.
4. Warsaw Memorial Day is August 1, i.e. the anniversary of the outbreak of the Warsaw Uprising.

§ 5

1. Honorary Citizenship of the Capital City of Warsaw, hereinafter referred to as Honorary Citizenship, is an expression of the highest distinction and recognition for merits and extraordinary achievements of Polish citizens and foreigners.
2. Honorary Citizenship may be granted to a person only once.
3. The initiative to grant Honorary Citizenship may be put forward by:
 - 1) the Mayor;
 - 2) the Chairperson of the City Council;
 - 3) the club of the council members;
 - 4) the district council.
4. The application for granting Honorary Citizenship should include:
 - 1) information about the candidate;
 - 2) description of the merits substantiating the candidate's distinction.
5. The title of Honorary Citizenship is granted by the City Council.
6. The person awarded with Honorary Citizenship receives:
 - 1) an act of grant;
 - 2) a medal;
 - 3) a certificateaccording to the patterns determined by the regulation of the City Council.
7. The medals of the Honorary Citizenship mentioned in section 6 are solemnly presented by the Chairperson of the City Council at a ceremonial session or on another occasion.
8. The distinguished may participate as honorary guests in:
 - 1) sessions of the City Council;
 - 2) City ceremonies;
 - 3) cultural, sports, recreational and other events organised by the City.
9. An Honorary Citizen of the City has the right to use means of city transport free of charge.

10. The expenses related to granting Honorary Citizenship are covered from the City budget.

§ 6

1. The “Toast of Warsaw” distinction, hereinafter referred to as the distinction, is granted to natural persons or organisational units that distinguish themselves by their activity for the City, particularly in the social, scientific and educational sphere. The distinction may also be granted with regard to individual deeds of saving a person’s life or health.
2. The distinction may be granted to a person or an organisational unit only once.
3. The initiative to grant the distinction may be put forward by:
 - 1) the Chairperson of the City Council;
 - 2) the Deputy Chairperson of the City Council;
 - 3) the Mayor;
 - 4) the committee of the City Council;
 - 5) a minimum of 5 council members;
 - 6) the district council;
 - 7) the Chairperson of the City Council upon the motion of:
 - a) at least 50 inhabitants of Warsaw,
 - b) public institutions with their seat in Warsaw,
 - c) social organisations with their seat in Warsaw,
 - d) mass media.
4. The distinction is granted by a Chapter comprised of:
 - 1) the Chairperson of the City Council performing the function of the Chancellor of the Chapter;
 - 2) the Deputy Chairperson of the City Council;
 - 3) the chairperson of the clubs of the council members;
 - 4) the chairperson of the committee proper for self-government issues.
5. The detailed manner of considering motions to grant the “Toast of Warsaw” distinction is determined by the regulation of the City Council.

§ 7

1. People or teams of people who are of special merit to the City can be granted the City Award.
2. The City Award is granted by the City Council upon the motion of the Mayor, the Chairperson of the City Council or the Deputy Chairperson of the City Council, the committee of the City Council, a group of a minimum of 10 council members or the district council.
3. Granting the City Award may involve granting a sum of money or a material award to the distinguished person. Expenses related to granting the City Award are covered from the City budget.

Chapter II

The scope and principles of the activity of the City

§ 8

1. The scope of the activity of the City includes all public issues of local importance that are not restricted by law to other entities.
2. The City performs the tasks provided for in the regulations on the borough and county self-government and the tasks lying within the scope of activities of the state government administration that are assigned to the City of Warsaw, including the tasks resulting from the capital nature of the City specified particularly in the Warsaw Act.

§ 9

1. In order to perform public tasks, the City may establish organisational units and enter into contracts with other entities, including non-governmental organisations.
2. The performance of public tasks may be conducted by means of the City's cooperation with other territorial self-government units.

§ 10

1. The inhabitants of the City settle issues by way of a general vote via elections and a referendum or by the agency of City bodies or district bodies.
2. With regard to every issue of importance to the City or district, public consultations may be conducted among the inhabitants of the City or the given district according to the principles set in the regulation of the City Council.
3. Issues of self-taxation of the inhabitants for public purposes are settled by way of a borough referendum, unless the regulations state otherwise.
4. A referendum may be conducted on any issue concerning the City or the district.

§ 11

1. The activities of the City bodies and the district bodies are transparent.
2. Limitations in transparency may result only from legal acts.
3. The venue, date and subject of the sessions of the City Council or district councils are communicated on the notice board at the seat of the Mayor or the seat of the district board and in the Public Information Bulletin.
4. Everyone has the right to enter the sessions of the City Council and the district councils and the meetings of their committees.
5. Everyone has the right to obtain information and has access to the documents resulting from the performance of public tasks, including the minutes from the meetings of the City bodies, the district bodies and the committees of the City Council and the district councils, unless the regulations state otherwise.

§ 12

1. Documents that contain public information are made available in the Public Information Bulletin either upon the motion of the interested person within the dates set by law or by placing or hanging them on notice boards at the seat of the City of Warsaw or City organisational units.
2. The documents mentioned in section 1 are made available by:

- 1) the Mayor or a person designated by them if they refer to tasks performed at the City level;
 - 2) the mayor of the district or a person designated by them if they refer to tasks performed at the district level;
 - 3) the head of the City organisational unit or a person designated by them if they refer to tasks performed by this unit.
3. The documents are made available to the public at the premises and during the working hours of the City of Warsaw or the City organisational unit in the presence of an employee of the proper organisational cell.
 4. The right to access the documents mentioned in section 1 includes particularly the possibility to become familiar the content of the documents, the possibility to make notes and to obtain an excerpt, a duplicate or a copy, including an electronic copy.
 5. Making the documents available is free of charge with the exception of cases specified in the law.

Chapter III

The City Council

§ 13

1. The City Council debates during the sessions and expresses its will in the form of regulations, stances and decisions.
2. The competences of the City Council include all issues falling within the scope of the City's activity, unless the regulations state otherwise.
3. Issues restricted by law to the borough and county councils belong only to the exclusive competences of the City Council.
4. The following issues lying within the exclusive competence of the City Council require the opinion of the district councils or, if they refer only to one or several districts, the opinion of the proper council or the opinions of the district councils:
 - 1) passing the Statute;
 - 2) passing the study of conditions and directions for spatial management of the City;
 - 3) passing local spatial management plans;
 - 4) passing the programmes for the City development and the long-term investment plan;
 - 5) creating, merging and abolishing districts;
 - 6) passing district statutes; setting the scope of district activities, the principles for transferring property for them for use and the principles for transferring budget means for the performance of tasks by the district;
 - 7) passing regulations concerning: the City coat of arms and colours, the district coat of arms, the names of streets and squares that are public roads, the names of internal roads and erecting monuments.
5. If the district council does not issue the opinion mentioned in section 4 within the period of time specified by the proper City body, the requirement for obtaining the opinion is considered to be fulfilled.

§ 14

Before the execution of a mandate, council members take a pledge.

§ 15

1. A council member represents the voters by their active participation in the works of the City Council and other self-government institutions to which they have been elected or nominated according to the rule of law.
2. A council member retains a permanent bond with the inhabitants of the City and their organisations, accepts their stipulations and presents them to the City bodies for consideration.
3. A council member receives an allowance on the grounds of holding a mandate. The sum of the allowance and the manner of payment are determined by the City Council through a separate regulation.
4. A council member is obliged to withdraw from a case which concerns their legal interest or that of their spouse, relatives and kinsmen up to second degree, people fostered by them or remaining under their custody or guardianship.
5. The personal matters of a council member are considered by the City Council in the presence of the interested party, unless, being duly notified, they fail to appear at the City Council meeting and do not justify their absence in advance.
6. The council member referred to in section 5 has the right to present their stance on the matter.
7. A council member may resign from a mandate by submitting a written statement on the matter to the City Council. The City Council states through a regulation the termination of the council member's mandate upon the date specified in the regulation.

§ 16

1. The City Council establishes the Revision Committee.
2. The Revision Committee is comprised of council members, including representatives of all the clubs, with the exclusion of the Chairperson of the City Council and the Deputy Chairpersons of the City Council.
3. The tasks of the Revision Committee include, in particular:
 - 1) to inspect the legality, reliability, purposefulness and economy of the activities of the Mayor, City organisational units and districts, particularly in the field of:
 - a) performing tasks stemming from laws and the statute,
 - b) execution of the regulations of the City Council and the ordinances of the Mayor,
 - c) financial and economic activities,
 - d) undertaken transformations in the organisational and legal structure of City organisational units;
 - 2) to issue opinions on the execution of the City budget, to prepare and submit to the City Council an application for the granting or non-granting of a vote of acceptance of the Mayor;
 - 3) to prepare draft settlements with reference to claims which should be properly considered by the City Council;
 - 4) to issue opinions on the motion to conduct a referendum on the Mayor's dismissal.
4. The Revision Committee also performs other tasks commissioned by the City Council in the field of supervision. This privilege does not violate the supervision privileges of other committees established by the City Council.
5. The Revision Committee operates on the basis of a yearly supervision plan approved by the City Council and in extraordinary cases on the basis of a one-time order from the City Council expressed in the form of a regulation.

6. The Revision Committee presents to the City Council an annual report on its activity and informs the City Council of conducted or completed inspections upon its every request.
7. The Revision Committee may nominate from among its members inspection teams comprised of a minimum number of three people to conduct a specific inspection. The regulation of the Revision Committee on the nomination of an inspection team determines, in particular:
 - 1) the team members and its chairperson;
 - 2) the subject, scope and purpose of the inspection;
 - 3) the mode of the inspection;
 - 4) the planned dates of inspection commencement and completion.
8. Members of the inspection teams conduct inspection activities on the basis of a written authorisation granted by the chairperson of the given team. Authorisation to conduct inspection activities may also be granted by the Chairperson of the Revision Committee.
9. Should justified suspicions of a committed crime arise during the course of inspection, the Chairperson of the Revision Committee, upon a motion from the chairperson of the inspection team, immediately notifies the Chairperson of the City Council and the Mayor about this fact.
10. After obtaining permission from the Chairperson of the Revision Committee, the chairperson of the inspection team may apply to the Mayor for the preparation of an expertise or an opinion within the field of the conducted inspection.
11. After completion of the inspection, the inspection team prepares an inspection protocol, which particularly includes:
 - 1) the legal basis for the inspection;
 - 2) the name and composition of the inspection team;
 - 3) the subject, scope and purpose of the inspection;
 - 4) the dates of inspection commencement and completion;
 - 5) a list of conducted inspection activities with the time and place of their performance, the people present during the inspection activities and their explanations; and a list of examined documents with the quotations of their most important theses;
 - 6) the conclusions from the inspection, including a list of found irregularities and post-inspection recommendations.The inspection protocol is signed by the chairperson of the inspection team.
12. The inspection protocol is delivered to:
 - 1) the Chairperson of the City Council;
 - 2) the Mayor; and
 - 3) the head of the City organisational unit or the mayor of the district, depending on the subject of inspection.
13. The inspected entity presents to the Chairperson of the Revision Committee their comments and explanations to the inspection protocol within 14 days from its receipt.
14. On the basis of the inspection protocol and the inspected entity's comments and explanations, the Revision Committee prepares an inspection report. This report particularly states whether the inspected entity has executed the post inspection recommendations specified in the inspection protocol or not.
15. The inspection report is signed by the Chairperson of the Revision Committee and is immediately delivered to:
 - 1) the Chairperson of the City Council;
 - 2) the Mayor; and

- 3) the head of the City organisational unit or the mayor of the district, depending on the subject of the inspection.
16. The following persons may participate in the meetings of the Revision Committee and the inspection teams:
- 1) Council members who are not members of the Revision Committee;
 - 2) the Mayor or a person authorised by them;
 - 3) the head of the City organisational unit or the mayor of the district, depending on the subject of the inspection, or a person authorised by them.
17. In cases provided for by law, the Chairperson of the Revision Committee or the chairperson of the inspection team may, with the consent of the Chairperson of the Revision Committee, make a decision upon the closed sitting of the Revision Committee or the inspection team respectively.

§ 17

1. The City Council may establish other standing or special committees, specifying the subject of their activity, their tasks and personal composition. The regulation concerning the establishment of a special committee also determines the period in which it is to operate.
2. The committees submit to the City Council periodical working plans and reports on their activity.
3. A committee is comprised of a minimum of 5 council members.
4. The City Council selects the chairperson and deputy chairpersons of the committee.
5. A council member is obliged to work in at least 1 committee.
6. The Chairperson of the City Council and the Deputy Chairperson of the City Council cannot chair the standing committees or be members of the Revision Committee.

§ 18

1. Apart from the committee members, committee sittings may be attended without the right to vote by the Chairperson of the City Council and the Deputy Chairperson, council members who are not members of this committee and the mayors of the districts.
2. The chairperson of the committee may also invite to the sitting, without granting the right to vote, other people whose presence may be justified in view of the subject of the case under consideration.
3. The committee cannot refuse to hear:
 - 1) the mayor of a district in a case which refers to this district;
 - 2) a specific person if the motion for such a hearing is put forward by the Chairman of the City Council or the Mayor.

§ 19

1. The chairperson of the committee oversees its activities and, in particular, determines the dates and daily agenda of the sittings, appoints the reporters on individual cases for the committee sittings, summons the committee sitting and runs its proceedings.
2. The deputy chairperson of the committee may substitute for the chairperson on the basis of authorisation from the latter.
3. The chairperson of the committee is obliged to summon the first committee sitting upon the motion of at least $\frac{1}{4}$ of the committee members or the Chairperson of the City Council.

4. In case it is impossible for the chairperson or the deputy chairperson of the committee to perform such tasks, a sitting may be summoned and run by the Chairperson of the City Council or the Deputy Chairperson of the City Council appointed by them.
5. The committee adopts a regulation on an entirely or partially closed sitting and on excluding invited persons from participation in the sitting in cases provided for by law.

§ 20

1. In cases within their jurisdiction, the committees express their will by a regulation.
2. Committee regulations are passed with the standard majority of votes with at least half of its members present.
3. Motions that have been put forward during the committee proceedings and have not been included in the passed regulation are presented at the City Council session as minority motions at the request of at least 2 committee members.
4. The committee regulation and the minority motions are presented at the City Council session by the chairperson of the committee or a reporter authorised by the committee.

§ 21

1. A protocol is prepared on the committee sitting.
2. A member of the committee or another person taking the floor in a discussion may submit comments to the protocol. A protocol to which no reservations are made is considered approved.
3. A protocol from the committee sitting is signed by the chairperson of the committee or their deputy if they chaired the proceedings.
4. Protocols from committee sittings are made available at the organisational unit of the City of Warsaw servicing the City Council and in Public Information Bulletin.

§ 22

1. Council members may form council member clubs.
2. The club may be formed by a minimum of 5 council members.
3. The chairperson of the club informs the Chairperson of the City Council about the personal composition of the club.
4. A Council member may belong to one club only.
5. Council member clubs may have their own by-laws. They cannot be in contradiction with the Statute.
6. The stance of the council member club may be presented at a City Council session by its representative.
7. The activity of the council member club cannot be financed from the City budget with the reservation specified in section 8.
8. Council member clubs may apply to the Mayor for the free-of-charge usage of premises for the purposes of meetings and office hours.

§ 23

1. During the first session, the City Council elects the Chairperson of the City Council. The number of Deputy Chairpersons is determined by the City Council with a regulation.
2. The Chairperson of the City Council organises the activities of the City Council and runs the proceedings. They may appoint the Deputy Chairperson of the City Council to perform these tasks.
3. If the Chairperson of the City Council is absent and has not appointed a Deputy Chairperson of the City Council, the tasks of the Chairperson of the City Council are performed by the senior Deputy of the City Council.
4. The Chairperson of the City council and the Deputy Chairpersons of the City Council may be removed in the mode specified in § 19 section 1 point 4 of the law on communal self-government.

§ 24

1. The City Council debates during sessions.
2. The Chairperson of the proceedings watches over the smooth progress and the observance of the agenda of the proceedings.
3. The session is opened, run and closed by the Chairperson of the City Council, the Deputy Chairperson of the City Council appointed by the Chairperson of the City Council or the Deputy Chairperson of the City Council acting in the mode specified in § 23 section 3.
4. The adjournment of the session can be ordered by the chairperson of the proceedings upon their own initiative or upon the motion of at least 5 council members, the council member club or the committee of the City Council. In case of adjournment which results in resuming the proceedings on a day other than the day of ordering the adjournment, section 5 is applied accordingly.
5. The session proceedings may be commenced only in the presence of a minimum of half of the statutory composition of the City Council, i.e. with a minimum of 30 council members present (quorum). The basis for checking the quorum are the signatures of the council members on the attendance list.
6. A minimum of 30 council members must be present during the voting on regulations, stances and formal motions.
7. Before the voting, the chairperson of the proceedings may order a check of the quorum. The quorum is checked by counting the council members present at that moment in the proceedings room.
8. If, while determining the vote results or in the mode specified in section 5, the chairperson of the proceedings finds that there is no quorum, then the chairperson of the proceedings calls the council members to return to the room. If, despite the call from the chairperson of the proceedings, it is not possible to have a quorum, then the chairperson of the proceedings orders the preparation of a new attendance list; the council members that are present in the room are to place their signatures upon the new list, which will then be the basis of confirmation of the council members' presence at the sitting.
9. If the list mentioned in section 8 confirms the lack of a quorum, the chairperson of the proceedings adjourns the proceedings and sets a new date for the proceedings of the same session.
10. The chairperson of the proceedings may appoint secretaries for the proceedings from among the council members and entrust them with making a list of speakers,

registering motions, calculating the results of open votes and performing other actions of a similar nature.

§ 25

1. Formal documents related to the subject of the proceedings of the City Council, in particular the session agenda, drafts of regulations, stances and opinions on them introduced during the session, are called papers.
2. Every paper is assigned a subsequent number and date.
3. The organisational unit of the City of Warsaw servicing the City Council is responsible for assigning the subsequent paper number.

§ 26

1. The Chairperson of the City Council may summon a ceremonial session of the City Council.
2. The provisions in § 24 section 5 and § 27 section 4 do not apply to the ceremonial session.
3. No regulations are adopted at a ceremonial session.

§ 27

1. The sessions of the City Council are summoned by the Chairperson of the City Council at least once a quarter and as the need arises.
2. The Chairperson of the City Council informs the following persons about the date, venue and agenda of the proceedings no later than 7 days prior to the session date:
 - 1) the council members;
 - 2) the Mayor;
 - 3) the Treasurer;
 - 4) the City Clerk;
 - 5) the mayors of the districts;
 - 6) the chairpersons of the district councils.
3. The inhabitants of the City are informed about the date, venue and agenda of the proceedings.
4. Upon the motion of the Mayor or a minimum of 1/4 of the statutory City Council composition, the Chairperson of the City Council is obliged to summon a session on a day falling within 7 days from the submission of a motion. The proceeding agenda and draft regulations are attached to the notification of the session. The time specified in section 2 does not apply to the notification.
5. If the session was motioned by council members, they appoint from among themselves a representative authorised to act on behalf of them in matters concerning the session.
6. Notification about the session, the agenda of the proceedings, the draft regulations included in the agenda and other necessary materials are put into the council members' boxes within the period of time specified in section 2 and posted on Public Information Bulletin website. Documents subject to transparency restrictions are not posted on the Public Information Bulletin website.
7. For the summoning of a session to be valid, it is necessary that the period of time specified in section 2 be preserved with regard to the council members and the Mayor.

§ 28

1. The proceedings agenda is determined by the Chairperson of the City Council after taking the opinion of the Convention comprised of the Chairperson of the City

Council, the Deputy Chairpersons of the City Council and representatives of the council member clubs.

2. The proceedings agenda includes, in particular:
 - 1) adopting the protocol of the proceedings of the previous session;
 - 2) considering draft regulations (stances) and adopting regulations (stances);
 - 3) interpellations and questions from council members.
3. Upon the motion of a council member or the Mayor, the City Council may introduce changes to the proceedings agenda by an absolute majority of the statutory City Council composition.
4. Section 3 applies to the change of the proceedings agenda of the session summoned in the mode specified in § 27 section 4; however, the applicant's consent is additionally required.
5. Upon the motion of the Mayor, the Chairperson of the City Council is obliged to introduce a draft regulation to the proceedings agenda of the next session if it was submitted to the City Council at least 7 days prior to commencement of the session.

§ 29

1. The City Council expresses its will in the form of:
 - 1) regulations – when the will of the City Council brings about legal effects;
 - 2) stances – when the will of the City Council does not bring about legal effects;
 - 3) arrangements – in cases regarding the proceeding at the session.
2. The initiative to pass a regulation or a stance may be put forward by:
 - 1) the Chairperson of the City Council;
 - 2) a committee;
 - 3) a group of at least 5 council members;
 - 4) the Mayor;
 - 5) a district council;
 - 6) a group of at least 15,000 people with the active right of vote to the City bodies according to the principles and in the mode determined by the City Council.
3. Whilst submitting a draft, the applicant appoints their representative, who is authorised to act on their behalf during the works on this draft.
4. A draft regulation submitted by the applicant should include:
 - 1) the title;
 - 2) the legal basis;
 - 3) the content-related regulations;
 - 4) the enforcement date.
5. Substantiation should be attached to the draft regulation, including:
 - 1) an explanation of the necessity and purpose of adopting the regulation;
 - 2) a presentation of the previous state in the area covered by the regulation;
 - 3) an indication of the difference between the previous and planned state;
 - 4) the financial effects of the execution of the regulation.
6. A draft regulation submitted to the session requires the legal opinion of a legal advisor or barrister providing legal services to the City of Warsaw on the basis of a contract of employment or a civil law contract about compliance of the regulation with the law and the opinion of the Treasurer concerning its consequences with regards the City budget.
7. A draft regulation submitted to the session requires the opinion of a committee proper in terms of its subject matter. If the draft requires the opinion of more than one committee, the Chairperson of the City Council, whilst directing the draft to the committee, determines the leading committee. A draft regulation submitted by the

entities mentioned in section 2 points 1, 2, 3 and 5 requires, with the reservation of section 9, an opinion from the Mayor.

8. In justified cases, the Chairperson of the City Council may direct the draft regulation to the session without the opinion of the Mayor and of the committee proper in terms of its subject matter.
9. The Mayor cannot issue an opinion on a draft regulation which refers to the internal organisation of the City Council.
10. A draft regulation or stance should be delivered to the Chairperson of the City Council no later than 7 days prior to the date of the session during which it is to be considered.
11. Substantiation is attached to the draft stance, including an explanation of the necessity to adopt the stance.
12. The applicant may withdraw the draft regulation or stance within a maximum of 7 days prior to the date of the session during which it is to be considered. Later, withdrawal of a draft is possible only in the mode specified in § 28 section 3.

§ 30

1. A discussion is conducted separately for every item on the proceeding's agenda. However, the City Council may arrange for the conduct of a joint debate on more than one item if there are practical reasons for this.
2. During the discussion on a given item on the agenda, the chairperson of the proceedings firstly gives the floor to the representatives of the clubs ordered from largest to smallest and then to council members in the order the notices are received.
3. The chairperson of the proceedings may set the maximum speaking time for the persons taking the floor with regard to the item on the proceedings agenda under consideration. Should a council member raise an objection, the arrangements in this field are made by the City Council. The speaking time limit cannot refer to speeches made during debate on the budget and on a vote of acceptance and speeches made by the committee reporter, the representative of the applicant, the Mayor (Deputy Mayors), a City Clerk and the Treasurer or a person put by them to speak.
4. During the discussion on a given item on the proceedings agenda, when council members take the floor according to the notice list, a council member may take the floor only once. It is possible to take the floor for a second time with regard to the same item on the proceedings agenda only after the speakers' list is exhausted and the City Council has not arranged for closing the speakers' list. This limitation does not apply to the representative of the applicant and the committee reporter.
5. The chairperson of the proceedings gives the floor to the mayor of the district in cases referring to this district, and they may give the floor to another person that is not a council member.
6. The chairperson of the proceedings gives the floor without consideration to the order of noted speakers in the mode of a rectification. A rectification speech cannot last more than 1 minute.
7. If the speaker digresses from the subject of the proceedings, the chairperson of the proceedings comments on this fact. After two such comments, the chairperson of the proceedings reclaims the floor from the speaker. This fact is noted in the protocol.
8. If the speaker exceeds the set speaking time, the chairperson of the proceedings comments on the fact. After two such comments, the chairperson of the proceedings reclaims the floor from the speaker. This fact is noted in the protocol.
9. If the content or form of the speaker's statement disturbs the proceedings or the authority of the session in an obvious manner, the chairperson of the proceedings calls the speaker to order or reclaims the floor from them. This fact is noted in the protocol.

10. The chairperson of the proceedings orders a person who is not a council member and whose behaviour disturbs the order of the session or offends its authority in another manner to leave the proceedings venue.
11. When the speakers' list is exhausted, the chairperson of the proceedings closes the discussion.
12. In case of closing the speakers' list, closing the discussion or reclaiming the floor, a council member present at the session during the consideration of a given item on the proceedings agenda may submit in writing the content of their statement to the session protocol no later than within 3 days.

§ 31

1. The reading of the draft regulation includes the presentation of the draft, the opinions of the Mayor, with the exception of the case specified in § 29 section 9, and of the proper committee, the debate on the draft regulation, the submission of amendment suggestions and the debate on amendment suggestions. The reading ends with a vote over the submitted amendments and the entire draft regulation or with it being directed for reconsideration by the proper committees.
2. During the reading, the chairperson of the proceedings gives the floor to the representative of the first applicant to present the draft. Secondly, the chairperson of the proceedings gives the floor to the reporter of the leading committee and then the reporters of the remaining committees to present their opinions.
3. After the statements of the representative of the applicant and the reporters from the opinion-issuing committees, the chairperson of the proceedings opens the discussion, during which it is possible to submit written amendments to the draft regulation and conclusions as to how to proceed further with regard to the draft regulation. The discussion is conducted in accordance with § 30.
4. After closing the discussion, the City Council may direct the draft regulation to the leading committee for amendments submitted during the discussion to be considered. The leading committee considers the amendments with the participation of the representative of the applicant. Until the completion of works by the leading committee, council members and the Mayor or Deputy Mayor may submit in writing new amendments to the committee.
5. At the next session, only the amendments submitted during the reading and in the course of the works of the leading committee are considered.
6. The chairperson of the proceedings firstly gives the floor to the reporter of the leading committee. It is the obligation of the reporter to present all the amendments and the opinions of the leading committee and the applicant on their adoption.
7. After the statement of the reporter, the chairperson of the proceedings opens the discussion. The discussion is conducted in accordance with § 30. During the discussion, it is possible to submit a motion for dismissal of the draft regulation or for redirecting the draft regulation to the leading committee. If the draft regulation is redirected to the committee, section 4 applies accordingly.
8. After closing the discussion, the chairperson of the proceedings starts the voting procedure. From this moment, it is possible to take the floor in order to submit or substantiate a formal motion on the manner and order of voting only before the decision about a vote.

§ 32

1. During voting, a council member expresses their will by casting a vote: “in favour”, “against”, “abstain” with the exclusion of the personal votes mentioned in sections 7 and 8.
2. The City Council adopts the regulations, stances and arrangement with the standard majority of votes by way of an open vote, unless the laws state otherwise.
3. The voting order is as follows:
 1. voting over a motion for the dismissal of a draft regulation (stance);
 2. redirecting a draft regulation (stance) to the committee;
 3. voting over amendments; the first amendments to be put to a vote are those whose adoption or dismissal has a decisive impact on other amendments; if an amendment excluding other amendments is passed, then those other amendments are not put to a vote; if several amendments are submitted with regard to one regulation, then the most far-reaching amendment is voted over first;
 4. voting over the adoption of a draft regulation.
4. The chairperson of the proceedings announces the results of each open vote, including an individual vote, immediately upon their determination. The results of all open votes are noted in the session protocol.
5. An open vote is conducted by the chairperson of the proceedings with the help of the secretaries of the proceedings. During an open vote, the council members vote by the raising of hands or with the use of a voting apparatus. The votes: “in favour”, “against” and “abstain” are considered as cast.
6. A secret ballot vote is conducted by the returning committee elected from among the council members at the session. The council members vote on cards with the seal of the City Council and the date and signature of the chairperson of the returning committee. The chairperson of the returning committee announces the results of a secret ballot vote immediately upon their determination. The results of a secret ballot vote are noted in the protocol of the returning committee and in the session protocol.
7. In case of personal votes when there is only one candidate, the expressions: “in favour” and “against” are put next to the candidate’s first name and last name on the voting card. A box is put next to each of these expressions. The council members vote by placing an “X” in one of the boxes.
8. In case of personal votes when there are more than one candidates, boxes are put next to the candidates’ names in alphabetical order on the voting card. The council members vote by putting an "X" next to the names of the candidates they elect.
9. In cases provided for by law or upon the written motion of 1/3 of the statutory composition of the City Council, the City Council may conduct an individual vote. An individual vote is conducted by calling the council members by last name and first name in alphabetical order and noting in the protocol whether the council member voted “in favour”, “against” or “abstain”.
10. When the City Council is making arrangements as to how to proceed at a session, the voting may be replaced by the formula spoken by the chairperson of the proceedings: “if I do not hear any objections, I will assume that the Council has approved of the suggestion.” No objection is recognized as a unanimous adoption of the arrangement by the Council.

§ 33

1. During a session, formal motions may be submitted. Formal motions may concern:
 1. limiting the speaking time of the speakers;
 2. ordering the adjournment of the proceedings;
 3. adjourning the session;
 4. closing the list of speakers;
 5. ordering an individual vote;
 6. checking the quorum;
 7. voting without discussion;
 8. closing the discussion;
 9. recapitulating the vote.
2. In a formal matter, the floor is given without regard to the speakers' list. Taking the floor with reference to a formal motion cannot last longer than 1 minute.
3. The chairperson of the proceedings gives the floor to one opponent of the motion. Section 2 applies accordingly.
4. A motion for voting without discussion and closing the speakers' list may refer to:
 1. the budget regulation or a regulation concerning changes to the budget;
 2. a regulation concerning granting (non-granting) the vote of acceptance;
 3. a regulation concerning a long-term investment plan;
 4. a regulation concerning taking credit or a long-term liability;
 5. a regulation concerning the adoption of the draft Statute or the change of the Statute;
 6. a regulation concerning the dismissal of the Chairperson of the City Council or the Deputy Chairperson of the City Council;
 7. a regulation concerning the dismissal of the chairperson of the revision committee;
 8. a regulation concerning the dismissal of a City Clerk or the Treasurer;
 9. a regulation concerning the conduct of a referendum on dismissal of the Mayor.
5. A motion for the recapitulation of a vote may be put forward and voted on during the same sitting at which the vote referred to in the motion has been conducted.

§ 34

1. An interpellation refers to cases of vital importance to the City. An interpellation includes pointing to the necessity of solving the problem and demanding that the Mayor take a stance.
2. An interpellation requires the observance of the written form. The written presentation of the interpellation cannot exceed 5 minutes.
3. An interpellation is submitted by a council member at a session or in the period between sessions.
4. An interpellation is directed to the Mayor by the agency of the Chairperson of the Council.
5. Responses to interpellations are given in writing within 21 days from the submission of the interpellation. The council member submitting the interpellation may consider the response as inadequate and demand elaboration on that response.
6. The response to an interpellation presented at a session cannot exceed 10 minutes.
7. A query refers to an incidental matter and is submitted by word of mouth at a session. The query cannot last longer than 2.5 minutes.

8. The response to a query is given by the Mayor or a person appointed by them by word of mouth at a session or in writing within 14 days should the need arise to conduct analyses.
9. The response to a query given at a session cannot exceed 5 minutes.
10. The register of interpellations and queries submitted by council members is kept by the Chairperson of the City Council.
11. The content of interpellations and queries, together with the responses given, is immediately posted in the Public Information Bulletin.

§ 35

1. Regulations passed at a session are marked with a subsequent number and a date, whilst the stances are marked with a date.
2. Regulations and stances are signed by the Chairperson of the City Council. Should the Chairperson of the City Council be absent from the session, the signature is put by the authorised Deputy Chairperson of the City Council. The regulation concerning the election of the Chairperson of the City Council is signed by the chairperson of the proceedings.
3. A protocol of a City Council session is prepared noting the assertion of the proceedings validity, the agenda of the proceedings, the passed regulations and adopted stances, the voting results and basic information on the course of the session, including the main theses of the speeches.
4. The attachments to the protocol are:
 1. the stenographic record of the proceedings;
 2. the passed regulations and stances together with their substantiations and necessary descriptions;
 3. the protocols of the returning committee and the cards for votes by secret ballot;
 4. the list of attendance of council members;
 5. the statements and other documents submitted to the protocol at the hands of the chairperson of the proceedings.
5. The protocol is made available in the organisational cell of the City of Warsaw servicing the City Council within 7 days from the session proceedings at the latest. A council member and any other person taking the floor in the discussion may submit comments to the protocol. The Chairperson of the City Council decides on the approval or dismissal of the comments. The decision of the Chairperson of the City Council is subject to an appeal to the City Council. The City Council makes a settlement at the next session.
6. If there are no comments made or the comments are approved, the final text of the protocol is made available within 7 days before the next session.
7. The Chairperson of the City Council sends a duplicate of the adopted protocol to the Mayor.
8. The protocol is signed by all the persons who chaired the proceedings during the session.
9. The protocol and all the attachments are posted in the Public Bulletin Information immediately upon its adoption. Documents with limited transparency are not posted in the Public Information Bulletin.

§ 36

With regard to issues that are important or raise huge interest for the inhabitants of the City, the City Council may pass a regulation on the conduct of a public hearing, determining simultaneously the principles for its conduction.

Chapter IV The Mayor

§ 37

1. The Mayor executes the regulations of the City Council and the tasks of the City provided for by law.
2. The Mayor participates in the sessions of the City Council as far as is possible.
3. The Mayor particularly:
 1. prepares the draft regulations of the City Council;
 2. administers City property;
 3. realises the City budget, taking responsibility for its proper execution;
 4. represents the City in external matters;
 5. runs the ongoing matters of the City;
 6. performs the tasks of the government administration commissioned to the City by legal acts or assigned by way of agreement;
 7. is the supervisor of the services, inspections and guards of the City;
 8. on urgent matters issues order-keeping ordinances and submits them for approval to the City Council at the next session;
 9. sends order-keeping regulations to the attention of the district governors of the neighbouring counties and the commune heads of the neighbouring boroughs on the next day after their establishment;
 10. prepares the operational plan for flood protection and announces and cancels a flood-warning and alarm.

§ 38

1. As part of realisation of the City budget, the Mayor:
 1. is responsible for the correct financial administration of the City;
 2. informs the inhabitants of the City about the stipulations of the draft budget, the directions of the social and economic policy and exploitation of the budget means;
 3. immediately upon its adoption by the City Council announces the budget regulation and the report on its execution after the budget year is closed.

§ 39

The Mayor is the head of the City of Warsaw and the professional supervisor of the employees of the City of Warsaw and the heads of the organisational units of the City.

§ 40

By means of an ordinance, the Mayor may appoint and dismiss at most four Deputy Mayors, indicating the first and next Deputy Mayors by name.

§ 41

1. A City Clerk is appointed by the City Council upon the motion of the Mayor.
2. A City Clerk is dismissed within the mode of section 1; however, their dismissal should be accompanied by the appointment of their successor within a period of time no longer than 3 months from the day of dismissal.

§ 42

1. The Treasurer is appointed by the City Council upon the motion of the Mayor.
2. The Treasurer is dismissed within the mode of section 1; however, their dismissal should be accompanied by the appointment of their successor during the same session of the City Council at which they have been dismissed.

Chapter V City Districts

§ 43

1. Division of the City into districts is obligatory.
2. As of the day of enforcement of the the Statute, the City districts are: Bemowo, Białołęka, Bielany, Mokotów, Ochota, Praga-Południe, Praga-Północ, Rembertów, Śródmieście, Targówek, Ursus, Ursynów, Wawer, Wesoła, Wilanów, Włochy, Wola and Żoliborz.

§ 44

1. The districts perform public tasks on the basis of the legal acts, the Statute, district statutes and other regulations of the City Council.
2. The scope of the activity of the district includes local issues of the district range that are not reserved to the City bodies:
 1. investments;
 2. borough resources of premises situated in the area of the proper district;
 3. City real estate properties situated in the area of the proper district;
 4. purchase and sale of City real estate properties situated in the area of the proper district within the range and in the mode specified by the ordinance of the Mayor;
 5. City organisational units situated in the area of the proper district and not deemed as establishments of trans-district importance with the regulation of the City Council:
 - a. education and upbringing establishments,
 - b. organisational units whose statutory activity refers to financial service in the field of education,

- c. day care centres,
 - d. organisational units of social care,
 - e. community centres,
 - f. libraries,
 - g. sports and recreation centres,
 - h. City organisational units whose statutory activity refers to the administration of housing resources,
 - i. other units specified in the regulation of the City Council;
6. greenery and internal roads belonging to the City with the exclusion of green areas and roads transferred to other entities;
 7. district administration structures;
 8. lower-level units established in the area of the district;
 9. geodesy and cartography;
 10. protection of tenant rights and housing allowances;
 11. cultural activity;
 12. environmental protection, waste and waters;
 13. public roads – with the exclusion of roads transferred to other entities, road transport, road traffic and carriages;
 14. architecture and construction;
 15. economic activity registration;
 16. registration of the population and identity cards;
 17. driving licences and vehicle registration;
 18. collection of taxes and local charges, stamp duty, agricultural and forestry tax and social insurance for farmers;
 19. district promotion;
 20. places of national remembrance;
 21. other issues transferred to the districts with the regulation of the City Council.
3. The competences of the district bodies with regard to the issues listed in section 2, with the exclusion of issues specified in point 4, are determined by the City Council in a separate regulation.
 4. The tasks and competences of a district stemming from legal acts, the Statute, district statutes and other regulations of the City Council are performed by:
 1. the district council;
 2. the district board.

§ 45

1. On behalf of the City, districts independently manage and use the City property transferred to them to be managed and used on the basis of the ordinances of the Mayor.
2. The Mayor can transfer City property to districts for independent management and usage with the exclusion of property:
 1. situated within the area of two or more districts;
 2. designated to satisfy the collective needs of the inhabitants of more than one district;
 3. remaining within the administration of City organisational units whose range of activities covers the territory of more than one district.

§ 46

1. The mode of election and dismissal of district bodies is determined by the provisions of legal acts.
2. The principles and mode of operation of district bodies are determined by the district statute.
3. The district board performs tasks with the help of the district office.
4. The district board may apply to the Mayor with regard to the organisational structure of the proper district office.

§ 47

1. The activity of district bodies is subject to the supervision of City bodies according to the principles specified in the district statutes.
2. The mayor of the district is obliged to deliver to the Mayor the regulations of district bodies no later than within 7 days from their adoption.
3. The chairperson of the district council is obliged to deliver to the Chairperson of the City Council the regulations of the district council no later than within 7 days from their adoption.

§ 48

1. Lower-level auxiliary units in a district may be established by the district council upon its own initiative or upon the motion of a minimum of 5 percent of the inhabitants with the right to vote residing within the grounds of the planned unit.
2. The organisation and scope of activity of a lower-level auxiliary unit in a district is determined by the district council.
3. Integration, division and liquidation of lower-level auxiliary units in a district is analogous to their establishment.
4. Lower-level auxiliary units in a district do not prepare their own budget and conduct financial administration within the framework of district attachments to the regulation concerning the City budget.
5. The legislative body of a lower-level auxiliary unit in the district is a unit council or a general assembly of the inhabitants.
6. The executive body of a lower-level auxiliary unit in the district is a board elected by the legislative body of this unit.

Chapter VI Principles of the City's financial administration

§ 49

1. The City independently runs the financial administration on the basis of the City budget.
2. The City's financial administration is open to the public.
3. The Mayor submits the draft budget of the City with explanations and information about the condition of communal property to the City Council and the district councils and to obtain the opinion of the Regional Account Chamber by 15 November of the year preceding the budget year.

4. A separate regulation of the City Council determines the rules concerning the mode of works on the draft budget regulation, the procedures of passing the City budget, the type and accuracy of information materials accompanying the draft City budget, the procedures for introducing changes to the City budget and the scope and form of information over the course of execution of the City budget.

§ 50

1. The district financial administration is run on the basis of the district attachment to the City budget regulation, which is an integral part of this regulation, specifying the means assigned as available to the districts for the performance of their tasks.
2. The financial means assigned as available to the district in the attachment to the City budget cannot be smaller than the means specified in the Warsaw Act.
3. The district council provides the City Council with an opinion on the district attachment to the draft budget regulation.
4. Whilst transferring the financial means at the disposal of the district, the City Council takes into account the need to ensure the efficiency of the decentralisation of the City tasks, the equal development of all the districts and the maximum possibility of satisfying the collective needs of the communities in the districts.
5. Transferring the tasks to the district is followed by ensuring the means necessary for their performance.

Chapter VII Self-government employees of the City

§ 51

1. Self-government employees of the City of Warsaw and City organisational units are employed on the basis of election, appointment and a contract of employment.
2. Employment by election and appointment refers to employees whose employment relationship on the basis of the above-mentioned forms of employment is determined in legal acts.
3. The remaining employees work on the basis of a contract of employment.
4. The tasks of the City in the field of consumer protection are performed by the Municipal Consumer Ombudsman. The tasks of the ombudsman are specified in a separate regulation.

§ 52

1. The Chairperson of the City Council begins an employment relationship with the Mayor on the basis of a regulation of the City Council specifying their salary and other work benefits. The remaining activities within the sphere of the labour law are performed by the Chairperson of the City Council.
2. The Mayor may grant powers of attorney to the mayors of the districts to perform activities in the sphere of labour law in relation to employees of the City of Warsaw working in the district office in accordance with legal acts and internal regulations and within the limits of the possessed financial means specified in the budget attachments.

3. The Mayor may grant powers of attorney to the mayors of the districts to perform activities in the sphere of labour law in relation to the heads of the City organisational units listed in § 44 in accordance with legal acts and internal regulations and within the limits of the possessed financial means.

Chapter VIII

Final provisions

§ 53

1. Before the City Council adopts the draft Statute, it is transferred to obtain the opinions of the district councils. If a district council fails to issue an opinion within 14 days from the date of application, the requirement for obtaining the opinion is considered to be fulfilled.
2. The draft Statute accepted by the City Council is subject to agreement with the Prime Minister.
3. The Statute may be changed with a regulation of the City Council in agreement with the Prime Minister in the manner provided for its adoption.