

konsensusu co do konieczności realizacji wskazanego wyżej minimum wymagań, szansa ta może zostać zaprzepaszczona. Z perspektywy ćwierćwiecza funkcjonowania samorządu terytorialnego należy więc podtrzymać postulat uporządkowania systemu aktów prawa miejscowego w duchu rozwiązań konstytucyjnych, ale przede wszystkim wyartykułować postulat rzeczywistego ustawodawczego wejścia w życie konstytucji w zakresie aktów prawa miejscowego.

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ACTS OF LOCAL LAW FROM THE PERSPECTIVE OF 25 YEARS OF LOCAL SELF-GOVERNMENT IN POLAND

The article refers to issues that cause most controversies in the field of the legislative power of the local self-government. The postulate to clarify this sphere has been rooted in the controversies concerning local law that aroused just after the political transformation. The system of the acts of local law has been partially determined by the Constitution of 1997. The Authors have discussed the place of local acts in the system of the sources of law in Poland, the problem of a dichotomous approach to them and the normative character of these acts. Legislative activities of local authorities result in the rich and diverse collection of normative acts. However, their inherent feature is the need to settle *a casu ad casum* their legal nature. The Authors have also described doubts concerning the legal basis of the acts of local law from the constitutional point of view. It especially refers to the statutes of self-government units and the local authorities that may issue such sources of law. The Authors conclude that local legislation should be perceived as an element of a larger whole - coherent and complementary system of universally binding law. This is only possible while respecting the fundamental principles of the constitutional system of the sources of law, the rules of proper legislation and the effective instruments of control over the legality of local law. From the perspective of 25 years of functioning of the local self-government in Poland, the postulate to organize the system of the acts of local law in the spirit of constitutional arrangements must be maintained. In particular, the constitutional requirements concerning local law should actually entry into force.