

w Konstytucji RP mianem – społeczna gospodarka rynkowa. Reguła taka w całej rozciągłości dotyczy także sfery zamówień publicznych.

Ewa Przeszło

PUBLIC PROCUREMENT, SOCIAL ASPECTS AND THE SOCIAL MARKET ECONOMY

Public procurement allows to define and identify targets of public spending, as well as to determine the way of spending by using certain procedures. The determination and identification of targets is part of economic policy, which should aim to correlate social needs with the possibilities, conditions and directions of economic development. The concern for the society's needs is in the interest of the state, and so it is an element of public interest. Public procurement is an expression of the realization of this interest which at the same time reflects social needs. The allocation of public funds should be in line with certain legal rules, meet the requirements of transparency, be subject to inspection including social control. The social aspects of public procurement are clearly marked. They are indicated by legal provisions both within the system of the European Union and national law. The principle of the social market economy indicates that the state through its authorities should shape economy by adopting and applying law which allows to achieve a state of compliance between the free, mostly private and consequently market economy and social needs, thereby ensuring the appropriate conditions for the social dialogue and the cooperation of social partners. This aim is facilitated by the institution of public procurement.