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DECENTRALISATION AS A POLITICAL REGIME PRINCIPLE UNDERLYING RELATIONSHIPS AMONG DIFFERENT BODIES OF PUBLIC AUTHORITIES*

I. CONSTITUTIONAL FOUNDATIONS FOR DECENTRALISATION OF PUBLIC AUTHORITY

The multi-aspectual nature of social and economic relationships, which prompts statutory formulation of complex public tasks, causes the bodies of public authority to interact by way of manifold reciprocal relations. This requires normative regulation, appropriate organisational structure and action management. Their modelling is intended to ensure effectiveness and efficiency in carrying out public tasks.[1]

The complexity of these tasks necessitates comprehensive normative solutions; also, the activities of the bodies of public authority have to be situated within the entire legal framework, whilst respecting the core constitutional principles which lay down the economic and political system of the state. It is particularly difficult when the statutory public obligation[2] is discharged at each and every tier of the executive branch, in varied territorial arrangements.

In order to foster appropriate relationships between bodies of public authority in those domains in which there is powerful economic, social and cultural interfacing, it is necessary to devise suitable normative connections that would take into account the fundamental systemic, structural and functional

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[1] The criteria of effectiveness and efficiency applied to bodies of public administration result from the implementation of the concept of good management in the public sector, which refers to the principles and processes affecting the performance of public tasks. See for example: M. Debbasch, J.M. Pointer, Administracja i zarządzanie, in: J. Łętowski (ed.), *Administracja Republiki Francuskiej*, Warsaw, 1984, 73 f.; J. Skrzydło-Niżnik, K. Sieniawska, Prawne i pozaprawne uwarunkowania sprawności (efektywności) działania administracji publicznej, in: *Instytucje współczesnego prawa administracyjnego. Księga jubileuszowa Prof. J. Filipka*, Kraków, 2001, 517 f.; J. Szreniawski, *Wstęp do nauki administracji*, Lublin, 2004, 48 f.; I. Lipowicz, Europeizacja administracji publicznej, *Ruch Prawniczy, Ekonomiczny i Socjologiczny* 70(1), 2008, 5–17.

[2] See T. Rabska, Norma zadaniowa w świetle publicznego prawa gospodarczego, in: A. Choduń, S. Czepita (eds.), *Poszukiwaniu dobra wspólnego. Księga jubileuszowa Profesora Macieja Zielińskiego*, Szczecin, 2010.

framework of public administration at state and local levels as set out in the Constitution of the Republic of Poland,[3] which thus provides for the decentralisation of the public authority.[4]

Decentralisation approached as a law-governed systemic arrangement of relationships between bodies of public authority determines the organisation of executive power. The constitutional principle of decentralisation, construed in conjunction with other systemic principles, in particular the subsidiarity rule, creates an obligation to devise specific arrays of tasks and competences, which can be encapsulated in a 'top—down' formula, whereby public tasks are delegated to be carried out by the lower tiers.[5] Given the structural consideration associated with the state apparatus, the principle should be interpreted as one which decrees that the structures be developed from the bottom up, while compliance with the principle should be reflected in the institutional and organisational solutions.

When observed, the principle of the decentralisation of public authority manifests itself in respecting territorial self-government communities. Territorial government is an integral component of the state system, with the autonomy of its bodies laid down in the Constitution, by virtue of which they act as legal entities and decentralised entities of public authority. It is an expression of the modern approach to public management,[6] an element of the equally modern organisation and functioning of states which rely on a decentralised structure, and which cannot be overlooked or ignored in developing state-of-the-art structures of organising action. The provision of Article 16 of the Constitution of Poland is worded as follows: 'Local government shall participate in the exercise of public power. The substantial part of public duties which local government is empowered to discharge by statute shall be done

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[3] The Constitution of the Republic of Poland of 7 April, 1997, Journal of Laws of the Republic of Poland (JL RP) 1997, No. 78, item 483; as amended: 2001, No. 28, item 319; 2000, No. 200, item 1471; 2009, No. 114, item 946 (hereinafter the Constitution).

[4] Article 15 of the Constitution.

[5] On this issue see for example: Z. Zgud, *Zasada subsydiarności w prawie europejskim*, Kraków, 1999; A. Szpor, Państwo a subsydiarność jako zasada prawa w UE i w Polsce, *Samorząd Terytorialny* 2001, no. 1–2, 20; Z. Cieślik, Zagadnienia prawa europejskiego. Informacje na temat kontroli działań podejmowanych przez UE pod względem zgodności z zasadą subsydiarności, *Zeszyty Prawnicze Biura Studiów i Ekspertyz* 2004, no. 3, 33; E. Popławska, Zasada pomocniczości (subsydiarności), in: W. Sokolewicz (ed.), *Zasady podstawowe polskiej konstytucji*, Warsaw, 1998, 190; E. Przybylska-Marciniuk, Zasada subsydiarności w projekcie Traktatu konstytucyjnego, in: *Przyszły traktat konstytucyjny. Zasadnicze zmiany ustrojowe w Unii Europejskiej*, vol. 2, Warsaw, 2004.

[6] M. Kulesza underlines that '[...] local government and decentralisation constitute the basis for autonomous management of public affairs, chiefly in the economic sense, in a networked rather than hierarchical system, by accomplishing social and economic gains on a local or regional scale, by actions geared towards development of the given governing body, by organising provision of public services, by cooperating and simultaneously competing with other self-governments, as well as participation in translocal and transregional markets etc. [...]' (idem, O tym, ile jest decentralizacji w centralizacji, a także o osobliwych nawykach uczonych administratywistów, in: J. Supernat (ed.), *Między tradycją a przyszłością w nauce prawa administracyjnego. Księga jubileuszowa dedykowana Profesorowi Janowi Bociowi*, Wrocław, 2009, 415).

in its own name and under its own responsibility,' and thus makes territorial government jointly responsible for the functioning of the state, at the same time laying the foundation for collaboration between executive bodies, spanning central departments and the decentralised self-government structures.

Local government reflects the degree of democratisation of social life,[7] while its importance is evinced in the range of public tasks which can be performed by its bodies.[8] This social dimension and scope of territorial government is currently becoming increasingly significant. It is emphasised that not all self-government types are equally consequential in terms of democratisation. The organisation of decentralised administration '[…] becomes socially significant when the domain governed by administration thus decentralised includes major social issues and affairs'.[9] This means that the essence of territorial government is also determined by the scope and nature (importance) of the public tasks they carry out.

II. THE DECENTRALISATION PRINCIPLE IN THE PURSUANCE OF DEVELOPMENT POLICY

The domain of development policy and its conduct is an example of a comprehensive, yet particular and separate range of tasks to be performed by the state, being a normatively distinct area of activity for public bodies, which encompasses all levels of public authority.[10] A development policy entails public tasks carried out on a nationwide scale, as well as simultaneously in the local and regional sphere. This creates very close links between the varied executive bodies of the state, which in itself is obligated to accomplish the statutory objective of ensuring the permanent and sustainable development of the country, as well as social, economic, regional and spatial cohesion, promoting the competitive potential of the economy and creating new workplaces on a national, regional and local scale.[11]

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[7] On that particular issue see J. Jeżewski, Idea demokracji w przekształceniach samorządu terytorialnego, *Ruch Prawniczy, Ekonomiczny i Socjologiczny* 77(3), 2015, 65–78.

[8] The following is underscored by the Constitutional Tribunal: 'Decentralisation denotes a process whereby the prerogatives of the lower-tier bodies of public authority are constantly extended as they are entrusted tasks, competences and the necessary means. Decentralisation for which the Constitution of the Republic of Poland provides in not an isolated organisational undertaking, but a permanent trait of the political culture of the state, founded on the correct statutory solutions which conform to the constitutional principles governing the Republic'; Judgement of the Constitutional Tribunal TK, K 24/02, OTK-A 2003, no. 2, item 11.

[9] On legal decentralisation see J. Starościak, *Decentralizacja administracji*, Warsaw, 1960, 14.

[10] Introduced by the Act of 6 December 2006 on the Principles of Development Policy, JL RP 2006, No. 227, item 1658; as amended: 2007, No. 140, item 984; 2008, No. 216, item 1370; 2009, No. 19, item 100; consolidated text: JL RP 2009, No. 84, item 712; as amended: 2009, No. 157, item 1241; 2011, No. 279, item 1644; 2013, item 714; consolidated text: JL RP 2014, item 1649; 2015, item 349, item 1240, 1358 and 1890 (hereinafter the APDP).

[11] Article 2 APDP.

The public aim set forth so extensively in the Act on the Principles of Development Policy (Ustawa o Zasadach Prowadzenia Polityki Rozwoju), as well as the number of bodies obligated to attain that goal,[12] engender complex, multi-level relationships established in various areas of cooperation between the involved entities: the Council of Ministers and the territorial government units.[13] Apart from the singular combined pattern of designated institutions—the Council of Ministers and the self-governance bodies of *województwo* (region), *powiat* (district) and *gmina* (commune)—a noteworthy element here is the particular nature of the objectives of public administration, defined as actions for cohesion and development, undertaken on a national, regional and local scale.

The Act on the Principles of Development Policy regulates a set of legal issues which are altogether new, and concerns a range of entirely new tasks whose importance for other areas of activity of public authorities (specifically areas relating to the development of the country and cohesion in each of its statutory aspects) is nothing short of crucial. At the same time, it also applies to the system as a whole, namely the structure of the executive power. It introduces a legal understanding of the development policy, which is defined as a 'complex of interconnected actions', based on the statutory premise of it being pursued at multiple levels. The enactment, coinciding with the entirety of state undertakings fostering the cohesion and development of local government units, underscores the significance of decentralised self-government structures. In order to ensure that the public obligation to implement development policy is discharged, the APDP takes advantage of the organisational arrangement stipulated in the Constitution. In doing so, it adheres to the superior systemic principle of decentralisation and practically recognises the value in the form of autonomous local government units.

III. THE LEGAL CONCEPT OF DEVELOPMENT POLICY AS A COMPLEX OF INTERCONNECTED ACTIONS

The manner in which actions are undertaken and carried out defines the functioning of executive bodies. This manner was established for the first time by means of a legislative act as a 'complex of interconnected actions' and as such it serves to strengthen the normatively established obligation requiring the entities involved in pursuing the development policy to collaborate.[14] The legislator has decided that actions in that domain demand cooperation on all levels of executive power, while in view of the shared scope of their actions, the cooperation must take place under a particular mode expressed in the statutory formula of a 'complex of interconnected actions'.

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[12] By virtue of the amendment of 2015, metropolitan unions were included in the catalogue of entities empowered to implement and pursue development policy.

[13] K. Kokocińska, *Prawny mechanizm prowadzenia polityki rozwoju w zdecentralizowanych strukturach władzy publicznej*, Poznań, 2014.

[14] Article 2 APDP in conjunction with Article 1 APDP.

The adopted statutory paradigm of pursuing development policy in accordance with such a formula is due both to the nature of public tasks and the broadly outlined objective to be accomplished on national, regional and local scales. The actions span the entire system, are also carried out at each level of the state's administrative division by all bodies of the executive branch, and therefore cooperation is necessary.

This singular normative approach to public obligation, subsuming the subjective and objective aspects, requires that public administration be seen as an integrated whole in the functional sense, in view of the nature of public obligation it is entrusted with and the scale of the actions undertaken. As the Council of Ministers and the successive tiers of local government become engaged in the conduct of development policy, this fact determines the nature of reciprocal, close relations among executive bodies. The cooperation between the entities concerned, based on interlocking actions, is intended to bring together autonomous, independent public bodies. Equal status of the collaborating parties is a major trait of the interconnected actions, and implies a range of adopted normative solutions with respect to cooperation.

The systemic rank of bodies involved in the conduct of development policy determines the approach to their collaboration, an approach which is expected to ensure cohesion of the actions undertaken by the central government, and the self-governments at regional, district and commune level as well as between units of local government. Consequently, the objectives and directions of action undertaken by a regional authority for the benefit of regional development coincide and remain cohesive with the nationwide development policy of the central government, while at the same time the Council of Ministers takes the regional perspectives into account in their national policies. The obligation to achieve cohesion of action imposed on the units of territorial government also dictates the relationships in the domain of development policy that have to be maintained between regional authorities and local self-governance structures.[15]

If various bodies are to meet their joint development objective, novel forms of cooperation are called for. Another important aspect is how this is organised and arranged in terms of procedure.

The autonomy of the bodies involved in the conduct of development policy is reflected in the selection of legal forms of cooperation. In addition, the manner in which this is structured is subordinated to the statutorily prescribed mode of action, which stresses interconnectedness. These forms of cooperation vary in their legal nature, and the degrees of association they establish differ as well, but they are always chosen to suit a specific type of relationship under public law. Notably, the legislator waived the 'imperious forms of action'.[16] Also, a comprehensive regulation concerning policy programming was introduced (where the programming relies on such modes of collaboration

[15] K. Kokocińska, *Prawny mechanizm*, 197 f., including sources quoted therein.

[16] In this respect, the legislator granted the entities in question much leeway in their choice of the form of action, in particular with respect to what is known as material-technical undertakings and social-organisational projects.

as actions in agreement, consultation, assessment), which should yield a coherent system of instruments for strategic programming, including development strategies,[17] programmes[18] and agendas,[19] developed in cooperation and adopted by public authorities of each level.[20]

In order to determine the nature of relationships between the entities involved in the conduct of development policy while it is being implemented, the legislator introduced a particular mode of cooperation which had not been employed previously. The mode in question is based on bilateral relationships, a special type of agreement concluded between executive authorities. They may be described as consensual instruments from the domain of public law. These include: (1) partnership agreement[21] between a Member State and the European Commission, whose content is discussed and agreed upon by way of collaboration between the Council of Ministers, units of territorial self-government and social and economic partners, and (2) territorial agreement,[22] an agreement negotiated between the Council of Ministers and the regional authority (with district- and commune-level units participating). The structure of these instruments follows a unique pattern, introduced exclusively for the needs of accomplishing public tasks in the domain of development policy. The legislator's initial assumption was that in order to arrange relationships

[17] Under Article 9 APDP, strategies of development include: 1) long-term strategy for the development of the country, an instrument specifying major objectives, challenges and directions of social and economic development of the country, which complies with the principle of sustainable development, and covers a period of at least 15 years; 2) medium-term strategy for the development of the country, an instrument specifying basic conditions, aims and directions of development of the country in the social, economic, regional and spatial domain, covering a period from 4 to 10 years, accomplished by means of development strategies and programmes, while taking EU programming period into account; 3) other development strategies: instruments outlining basic conditions, aims and directions of development with respect to sectors, domains, regions, or spatial development, including metropolitan areas and functional areas.

[18] Pursuant to Article 15(1) APDP, programmes are operational-implementatory documents adopted with the aim of pursuing medium-term strategy of development and development strategies referred to in Article 9(3), which specifies actions to be carried out in accordance with the agreed financing and implementation system, where the latter is an element of the programme in itself. A programme is adopted by virtue of a resolution of decision of a competent body.

[19] These include partnership agreement and programmes serving to perform such agreement (Article 5(1a) APDP).

[20] On the legal nature of instruments employed in programming development policy see for example: Judicial Decision of the Constitutional Tribunal of 12 December 2011, P 1/11; as well as: K. Kokocińska, *Opinia prawna na temat rządowego projektu ustawy o zmianie niektórych ustaw w związku z wdrażaniem funduszy strukturalnych i Funduszu Spójności* (circular no. 950) dated 14 October 2008; eadem, Wybrane formy prowadzenia polityki rozwoju, in: B. Popowska, K. Kokocińska (eds.), *Instrumenty i formy prawne działania administracji gospodarczej*, Poznań, 2009; eadem, *Prawny mechanism*, 148-157 and sources quoted therein.

[21] Article 5(9)(a) APDP defines partnership agreement as an agreement which specifies the conditions, aims and directions of utilising funds from the budget of the European Union, drafted with the participation of social and economic partners and subsequently approved by the European Commission.

[22] Pursuant to Article 5(4)(c) APDP, territorial agreement specifies aims and priority undertakings which have substantial significance for the development of the country and the region in question, their financing. Co-ordination and execution, as well as additional funding of regional programmes which serve to perform the partnership agreement in respect of cohesion policy.

based on the collaboration of independent bodies and ensure the maximum effectiveness of their actions, a consensual mechanism by means of which reciprocal relationships take their shape was the most suitable solution, as it corresponds with those relationships and the general systemic premises as well.[23]

Studies have demonstrated that the manner of organising action relies on a legally established succession. The normative structure adopted for development policy stipulates that the public objective, understood as permanent and sustainable development and cohesion, can be attained by combining actions into larger schemes which amount to a 'sequence of actions',[24] in other words behaviours which complement and determine one another. This means that to the legislator such a pattern of organisation represents a prerequisite for the effectiveness and efficiency of actions, which all bodies of the executive branch are obligated to follow. These actions combine into a network of connections and interdependencies under public law, which arise between the participants of those complex sets of actions, and which in turn are determined by the public objective of development policy and the systemic principles underpinning the exercise of power in a state.

IV. INTERCONNECTED ACTIONS GOVERNED BY PUBLIC LAW

The statutory legal relationships between entities engaged in development policy take their form while relying intrinsically on the constitutional foundation of the territorial system of a state.[25] The nature of their mutual relations, which establish a singular structure of public law relationships between such bodies, depends heavily on their systemic status. The rules governing the organisation and activities of a public authority, the mode of collaboration[26] based on the joint action of executive bodies which are not aligned

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[23] See T. Rabska, Działania administracji publicznej w świetle współczesnej koncepcji publicznego prawa gospodarczego, in: B. Popowska, K. Kokocińska (eds.), *Instrumenty*, 29.

[24] See A. Chełmoński, Ciąg działań prawnych w gospodarce państwowej jako przedmiot badań propozycja metodologiczna, *Acta Universitatis Wratislaviensis, Prawo* XXXVIII, no. 163, Wrocław, 1972, 2–22; T. Kuta, *Aspekty prawne działań administracji publicznej w organizowaniu usług*, Wrocław, 1969; A. Błaś, Proces administrowania jako zorganizowany układ działań administracji publicznej, *Acta Univesrsitatis Wratislaviensis, Prawo* XXXVI, no. 169, Wrocław, 1972, 83–90; idem, Prawne aspekty działań złożonych administracji państwowej, *Acta Universitatis Wratislaviensis, Przegląd Prawa i Administracji* VI, no. 261, Wrocław, 1975, 101–110.

[25] See K. Kokocińska, Planowanie rozwoju regionu przez administrację regionalną – decentralizacja?, in: *Funkcje współczesnej administracji gospodarczej*, Poznań, 2006; eadem, Udział jednostek samorządu terytorialnego w prowadzeniu polityki rozwoju, in: *Materialne prawo administracyjne*, part 1, Forum Naukowe, Year XII, no. 4(22) /2007; eadem, Prawne gwarancje udziału jednostek samorządu terytorialnego w prowadzeniu polityki rozwoju (postulowane kierunki zmian koncepcji polityki rozwoju), in: K. Kiczka (ed.), *Administracja publiczna w Europie małych ojczyzn*, Poznań, 2009; eadem, Gmina jako podmiot prowadzenia polityki rozwoju, in: L. Kieres (ed.), *Nowe problemy badawcze w teorii publicznego prawa gospodarczego (z uwzględnieniem samorządu terytorialnego)*, Wrocław, 2010.

[26] This issue is discussed more broadly in K. Kokocińska, *Wybrane formy prowadzenia polityki rozwoju*, in: B. Popowska, K. Kokocińska (eds.), *Instrumenty*, 135–180.

hierarchically,[27] the extent and nature of their tasks, as well as non-imperious forms of action, combine into a cohesive whole. This array of elements, within the framework established by reciprocal relations (to which this author refers as a 'legal mechanism for conducting development policy'[28]), ensures the capacity to discharge public obligations stipulated in relevant statutes.

This manner of carrying out joint public duties (which in this case means pursuing development policy), based on the interconnected actions of public authorities, may be termed as 'interconnected public law actions'. As previously observed: 'This new legal notion comprises a range of closely linked elements. First and foremost, these actions are undertaken by bodies functioning in particular structural alignments (within the structures of a decentralised public authority), they are concerned with fulfilling public tasks which in turn seek to accomplish a prescribed joint public goal. The said tasks are undertaken by means of applicable modes while adhering to procedures set forth by law. […] It should be emphasised that the essence of "interconnected public law actions" lies in the reciprocal relations of entities undertaking the action and in the legal nature of associations between the latter, namely systemic ones',[29] as it gives rise to a particular 'sequence of legal actions'.

Studies concerned with development policy demonstrate that for the action of state administration (central and local) to be effective, the relations between the entities involved (between the Council of Ministers and self-governance units, as well as between these units), derive from the constitutional foundation of the state's territorial system, while the organisation of the structure and actions of the policy-pursuing bodies is founded on the decentralisation of public authority.

This approach circumscribes the range of affairs which are their joint responsibility, and entails a statutorily decreed joint public objective (in this case formulated very broadly as a 'ensuring a permanent and sustainable development of the country, social, economic, regional and spatial cohesion, boosting the competitive potential of the economy and creating new workplaces on a national, regional or local scale'), a public obligation shared by all the bodies of the executive branch, imposed by virtue of a normative regulation. This complex of interconnected actions, consisting of specific complementary and mutually determining elements of structure and procedure, which dictate the degree of collaboration across the normative framework of the involved bodies, is intended to ensure the correct functioning of state structures and the cohesion of actions (policies) undertaken by public authorities.

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[27] Concerning consensual cooperation between entities engaged in pursuing development policy, K. Kokocińska observes: '[…] To the extent provided for in the legal system, once the contractual bond under public law is formed, public law relationships between autonomous public authorities are formed and interdependencies between such bodies take their shape. This has a direct impact on how the performance of public tasks is organised, leading to a number of specific outcomes in the entire system […]' (eadem, *Prawny mechanizm*, 185).

[28] Ibidem, 262 f.

[29] Ibidem, 259 f.

V. THE CONCEPT OF INTERCONNECTED ACTIONS IN CONTEMPORARY ADMINISTRATIVE RELATIONSHIPS

The normative formula of the 'complex of interconnected actions' adopted in the act on the principles of development policy underlies the concept of 'interconnected public law actions', a notion coined on the grounds of provisions of the act and concerning the relationships defined in the enactment. This means that it cannot be universally applied.

The arrangement of the bodies of public authority, their cooperation and interfacing may occur in other areas where contemporary public administration is active. '"Interconnected public law actions" are consistent with the system of multi-level public administration and partnerships, understood as the sharing and apportioning of executive competences between individual bodies. They also provide a basis for establishing and shaping relations between the public and the private sector'.[30]

The normatively adopted 'complex of interconnected actions' (and its corresponding theoretical concept of 'interconnected public law actions') reflects the trends of development in contemporary public administration,[31] as it results from a specific configuration of social, economic, and political relationships. Organisation of actions in the domain of 'common affairs', with the simultaneous statutory prescription demanding the public goal to be accomplished jointly, relies on the systemic principles of the exercise of power and the territorial system established by the Constitution, where it is based on the decentralisation of public authority and delegation of increased competences to self-government communities.

In view of the fact that social, economic and territorial circumstances do change, the modes in which the state discharges its functions and the way its actions are organised need to be updated as well. Since various entities undertake actions in a shared domain, there will be issues which have to be resolved by way of consensus. It naturally follows that their relationships need to be formed under a paradigm of collaboration. Therefore, legislative efforts should strive to promote the decentralisation processes in individual spheres of social and economic life, enhance democratic forms of governance

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[30] K. Kokocińska, *Prawny mechanizm*, 268.

[31] On the conditions which govern contemporary configurations in public administration and transformations of its functions see for example: B. Adamiak, Uwagi o współczesnej koncepcji organu administracji publicznej, in: E. Ura (ed.), *Jednostka, państwo, administracja—nowy wymiar. Międzynarodowa Konferencja Naukowa, Olszanica 23–24 maja 2004 r.*, Rzeszów, 2004; J. Boć, Założenia badawcze struktur administracji publicznej, in: J. Zimmermann (ed.), *Koncepcja systemu prawa administracyjnego. Materiały konferencyjne (Zakopane 24–27.09.2006 r.)*, Warsaw and Kraków, 2007; T. Rabska, Pytania o stan współczesnej administracji, in: *Kierunki rozwoju prawa administracyjnego*, Poznań, 1999; Z. Niewiadomski, Pojęcie administracji publicznej, in: *System prawa administracyjnego*, vol. 1: *Instytucje prawa administracyjnego*, ed. by R. Hauser, Z. Niewiadomski, A. Wróbel, Warsaw, 2010, 1–60 and sources quoted therein.

and extend the scope for the executive bodies of various levels to determine states of affairs and assume responsibility jointly. Furthermore, there is a need to develop instruments which would facilitate the cooperation of central and local public administration, as well as introduce the procedure of interconnected public law actions.

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Summary

This article outlines the basic principles according to which the structure of executive bodies is organised. Their tasks, performed in a new domain of public life defined as where a 'development policy' is pursued have been discussed. The author emphasises the normative approach to this public duty, seen as a set of interconnected actions undertaken and implemented with a view to ensuring the stable and sustainable development of the country, social-economic spatial cohesion at the regional level, enhanced competitiveness of the economy and the creation of new jobs at a local and regional level, as well as nation-wide. The constitutional foundations of the state's territorial system prove to be of essential importance for shaping the legal relations between various bodies of public authority, namely the Council of Ministers, self-governing regional authorities and local authorities. Also, it is emphasised is that the constitutional principle of decentralised public power that determines the manner in which development policy is organised, both in terms of its structure and procedure. Implementation of the development policy, defined in law as fulfilment of a public duty, is based on the rules provided for in the Act on the Principles of Development Policy. They constitute a network of mutual relationships among individual executive bodies, referred to as 'interconnected public duties', that are determined by a public goal (development policy) and the political system adopted to exercise executive power in the state.