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Civil Law and Commercial Law in Activities of the Administration. Tradition and Modernity in Legal Institutions. Part 2. Introduction

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<https://doi.org/10.36128/priw.vi31.81>

On 14 June 2018, the Lublin Scientific Society in Lublin held the Nationwide Polish Scientific Conference „Civil Law and Commercial Law in Activities of the Administration. Tradition and Modernity in Legal Institutions”. It was the third edition of the nationwide scientific conference on the use of legal instruments in the area of civil law and commercial law in the activities of the administration, which was organised at the initiative of dr hab. Grzegorz Koziel, professor at UMCS. The organizers of the conference were the Lublin Scientific Society, Faculty of Humanities, the Scientific Association Pro Scientia Iuridica, and the Association for the Promotion of Legal Sciences. The conference was under the honorary patronage of: the Patent Office of the Republic of Poland, Voivode of Lublin, dr. hab. Przemysław Czarnek, Marshal of the Lublin Voivodeship

Sławomir Sosnowski, Mayor of the City of Lublin Dr. Krzysztof Żuk, the Institute of Intellectual Property based in Katowice, the Polish Scientific Press Law Society, the Association of Notaries of the Republic of Poland, as well as the Lublin Bar Association of Attorneys-at-Law in Lublin. The media patronage for the conference was provided by C.H. Beck, „Zeszyty Naukowe Katolickiego Uniwersytetu Lubelskiego”, „Europejski Przegląd Sądowy” and „Prawo i Polityka”. The conference’s partner was the University College of Enterprise and Administration in Lublin.

The aim of the Conference was to provide an opportunity for discussion, primarily in the area of the use of instruments in the field of civil law and commercial law, including copyright law, in the activities of the administration in the broad sense. These issues are the matters from the “borderline” between private law and public law, which are not often the subject of in-depth research and scholarly discussion. However, they are of high theoretical and practical importance. During the third edition of the nationwide scientific conference „Civil Law and Commercial Law in Activities of the Administration. Tradition and Modernity in Legal Institutions”, on 14 June 2018, in parallel discussion panels, more than 40 papers were delivered, which reflected the greatest attention paid to the subject in the history of these conferences.

The discourse that took place during the first, second and third editions of this Conference – in Lublin on 12 May 2016, 3 April 2017 and 14 June 2018 – resulted in the monographies: *Prawo cywilne i handlowe w działaniach administracji. Rozwiązania istniejące, projektowane i uwagi de lege ferenda* [*Civil and Commercial Law in Activities of the Administration, Existing and Drafted Solutions and the Proposals for de lege ferenda*], *Prawo cywilne i handlowe w działaniach administracji. Stanowienie, wykładnia i stosowanie* [*Civil and Commercial Law in Activities of the Administration. Law-making, Interpretation and Application*], issued in 2017 and 2018 respectively by the publishing house of the University College of Entrepreneurship and Administration in Lublin, as well as *Prawo cywilne i handlowe w działaniach administracji. Tradycja i nowoczesność w instytucjach prawnych. Cz. 1.* [*Civil Law and Commercial Law in Activities of the Administration. Tradition and Modernity in Legal Institutions. Part 1*] published in „Zeszyty Naukowe KUL” No. 4, 2018.

The discussion during the conference leads to the general conclusion that in the activities of the administration, including legal institutions used to pursue these activities one can notice both elements of tradition and innovation being the components of legal institutions of a modern state, and both these elements should be mutually balanced. Traditional elements of legal institutions from the beginning of the existence of the state and law constitute the foundations for the legal order. On the other hand, innovations, including in particular innovations in the legal area, allow us to take into account

in this order the needs resulting from the progress of civilization. The idea of keeping a balance between tradition and innovation in legal institutions is of fundamental importance for the development of a modern state.

In the issue no.4 of 2019 of the journal „Prawo i Więź”, in its separate part *Prawo cywilne i handlowe w działaniach administracji. Tradycja i nowoczesność w instytucjach prawnych. Cz. 2.* [Civil Law and Commercial Law in Activities of the Administration. Tradition and Modernity in Legal Institutions. Part 2] the second part of scientific articles is published as a continuation of the papers delivered at the national scientific conference „Civil Law and Commercial Law in Activities of the Administration. Tradition and Modernity in Legal Institutions”, or those submitted after this conference, which concern primarily the issues of civil law and commercial law in activities of the administration, including: the method of regulation and the legal nature of public procurement law, providing real estate with land access to the public road through the establishment of easement, the importance of the institution of whistleblower in the area of public administration activities, the legal status and scope of power of attorney of succession manager, sale of shares and stocks in municipal companies, as well as the way of perceiving organizational and legal forms of performing tasks of local development as activities of the administration. I hope that they will be useful both for theoreticians and practitioners in the areas of law-making, interpreting and applying civil law and commercial law in activities of the administration, and may also constitute a specific „point of reference” for further considerations and discussions on law-making, interpreting and applying the law in this area.

On behalf of the authors, with full confidence and pleasure, please be invited to get familiar with these works.

Grzegorz Kozieł
Thematic Editor