

Radostław Harabin

Functional-Pragmatic Theory of Crisis Management – Organizational and Financial Aspects.

Polish Casus in Territorial Implementation

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Reviewers: dr hab. Grzegorz Wilk-Jakubowski, dr hab. Oleg Leszczak,
prof. UJK in Kielce

Editorial support: Małgorzata Pająk

Typesetting: Małgorzata Pająk

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biuro@c-p.com.pl

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INTRODUCTION

The political transformation in Poland in 1989 changed not only the realities of public life – which is emphasized in the literature on the subject¹ – but, above all, also covered the legal system. Although the overall foundations of the new systemic decisions – in the form of the basic act – were laid eight years later, in 1997, already in 1989, the so-called *the April amendment to the Constitution of the Polish People's Republic of 22 July 1952* was introduced. In addition to subsequent amendments, in 1992 the so-called *Small Constitution* was passed.² At the same time, the changes covered a critical point of statehood – that is, security bodies. Pursuant to *the Act of 6 April 1990*, the Citizen's Militia were dissolved and a Police formation was created.³ In 1991, the structure of the State Fire Service was established. On the basis of the provisions of the new *Law on Associations of 7 April 1989* and *the Act on the State Fire Service*, groups of Volunteer Fire Brigades were organized – two institutional stems of subsequent crisis management structures.

Without the political transformation it would be impossible to organize crisis management structures in Poland that is why it is mentioned here. It is true that the time from 1989 to 2007 – the date of passing *the act on crisis management* – was a period of intense work and the enormity of changes in law, but only the so-called decentralization of power has enabled the creation of protection systems for people, property and the environment in its current form. Not without significance was the fact of Poland's admission of 12 March 1999 to the structures of the North Atlantic Treaty

¹ E. Matynia, *Demokracja performatywna*, Dolnośląska Szkoła Wyższa, Wrocław 2008.

² *Constitutional Act of October 17, 1992 on mutual relations between the legislative and executive power of the Republic of Poland and on local self-government*, Dz.U. from 1992 No. 84, item 426.

³ *The Act of 6 April 1990 on the Police*, Dz.U. from 1990 No. 30, item 179, art. 146.

Organization, meaning not only binding Polish military forces with the Alliance, but also organizing some of the non-military defence preparations based on NATO procedures. Membership in NATO constituted which still is true an important reference point for the Polish crisis management system. Accession to the European Union on 1 May 2004 brought a further unification of the functioning of Polish non-military defence structures with the activities of the European Commission and the capabilities and resources of the Member States.

The legislative realities have absolutely defined and shaped the crisis management system. It turns out, however, that the legal reality has often encountered material limitations to the possibilities of fulfilling the norms. Financial and personnel shortages, logistical and technical problems are just one of the few issues faced by those responsible for the organization of crisis management units. The same problems, although on a different scale, can still be observed by following the actions of public administration or the functioning of the National Fire and Rescue System (a parallel system towards the crisis management system). The observations made lead us to suppositions that the proper meaning of crisis management – that is the title issue of this work – has been shaped by the contact of the law with the practices of the bodies responsible for meeting these standards. Thus, the fundamental research problem of presented book is the question whether, as part of the effort to formulate comprehensive (regarding organizational and financial aspects) theory of crisis management in Poland – based on functional interpretations of legal norms and practices of bodies responsible for their implementation – will significant deviations from the normative model of crisis management be observed?

The main research problem put in so requires further specification, which is why four specific problems were formulated for the purpose of the work. Firstly, the question is posed about the possibility of a relational (functional) approach to crisis management in general. Secondly, the question is how to perceive the issue of structure and the issue of its financing from a normative perspective. Thirdly, it is puzzling how the same aspects – organizational and financial – should be understood in a pragmatic perspective. Fourthly, the question arises whether significant deviations can be observed in the normative and pragmatic interpretation of crisis management through relational treatment of norms and practices?

The main objective of the research is to analyse the organizational and financial aspects of normative and practical dimension of crisis management in Poland in the territorial implementation. This means that the research has been limited to the Polish normative system. The arrangements in this respect are treated as so-called *Polish casus*. Practice in the field of crisis management was located where counteracting crisis situations is undertaken most often and therefore among the territorial administration authorities. In this way, the assumption of the necessity to compile standards and practice, and thus the title postulate of the presentation of arrangements for the Polish casus in the territorial implementation is carried out.

Research tasks are in turn: 1) presentation of theoretical basics of functional-pragmatism in adaptation to management problems in public administration; 2) presentation of normative dimension of crisis management system organization in Poland; 3) presentation of pragmatic aspects of crisis management in Poland; 4) analysis of normative and pragmatic dimension of financial crisis management system in Poland; 5) analysis of normative and pragmatic dimension of organizational crisis management system in Poland.

The main aim of the work is to verify the following main research hypothesis: crisis management theory – developed based on functional interpretations of legal norms and practices of authorities – will reveal a wider than the normative range of institutions responsible for crisis management in Poland, and also indicate new sources of financing their activities. Additionally, the aim of the paper is to verify working hypotheses with the following meaning: 1) there is a possibility of non-antinomical, because relational and anthropocentric typologization of security (especially crisis management) and threat based on the methodology of functional pragmatism. 2) It is not possible to establish the full range of institutions and sources of financing for crisis management in Poland solely on the basis of the binding acts, i.e. on the basis of a normative criterion for describing crisis management, which consequently requires supplementing the research perspective with a pragmatic approach to the issue. 3) The manner of organising the territorial structure of crisis management, its functioning and expenses may be determined only in the list of documents developed below the statutory level of legislation. 4) After functional juxtaposition

of normative and practical arrangements and unveiling deviations in both sides of the relationship, a relational model of crisis management can be created, the value of which can be related both to the cognitive sphere of management and to the usefulness for public administration.

The main thesis defended in the work is the statement that crisis management is a relation, extended between normative and practical activity of public administration, so that neither independent normative descriptions nor independent characteristics of pragmatics are insufficient for a full description of the problem, but only a combination of findings from both areas of public administration activity and the demonstration of mutual dependencies between them will result in the formulation of a complete relational model of crisis management.

The organizational and financial activities of public administration, especially in territorial implementation, is considered to be the basic subject of research. Explorations focus on discursive activity of public administration bodies. This means that the research will basically concern texts developed by public administration – being understood as the sources of information. The subject of the research consists of financial statements, minutes of meetings of Crisis Management Teams, safety reports, etc. There is no field observation of the activities of specific office staff.⁴ Taking into account the assumption of the relational character of crisis management, and then the specificity of the subject of research, it seems a natural step to base the research on the methodology of text analysis. In this way, a choice of functional methodology-pragmatism is considered to be well-grounded. It assumes a functional model of systematization of knowledge of the studied phenomena. The concept of *relation* is assumed as the basic category of explanation. Secondly, pragmatics means here bringing all phenomena to experience, understood by, among others, the prism of the thought of J.N. Baudouin de Courtenay and F. de Saussure as a discursive human speech activity. It is, therefore, a relational anthropocentrism, where, due to the possibility of communication, all solipsistic premises are rejected. The basic assumptions of the adopted methodology – as O. Leszczak explains – go back to the critical theory of I. Kant and probabilistic assumptions of pragmatism

⁴ On the basis of the assumed methodology, discursive analyses of this type of activity can also be carried out.

of W. James, F.C.S. Schiller's humanism and J. Dewey's instrumentalism.⁵ A discursive approach to the analysis of texts makes it possible to distinguish between a normative and a pragmatic perspective on research. The function of the text – the purpose of its introduction – determines its classification. The normative function was identified with deontical regulation. Normative means indicating what is ordered or forbidden. The pragmatic function indicates how the ordered actions are to be performed. In this way, the acts of law have been separated as those characterized by normative or pragmatic teleology. Moreover, the assumed methodology – described in detail in the first chapter – does not exclude applying in the work detailed research methods: institutional and legal analysis used to describe the crisis management structure or the politological decision-making method used to describe the problems of amendments to the laws. These methods were used in the second chapter. The third chapter is based on idiographic research, which is characterized by striving for the highest probability of findings. As to the applied probabilistic reasoning principle, it would be most appropriate to point to the model of inference by incomplete enumeration induction. The fourth chapter was constructed with the use of comparative methods, based on reductive reasoning (reductive reasoning, reasoning by inductive incomplete enumeration, reasoning by analogy, statistical reasoning), and to a limited extent on deductive reasoning.

The whole book is guided by the assumptions of Popper's falsificationism. It was considered K. R. Popper that the determinant of scientific theory is the possibility of its falsification. Thus, the practice of frequent documenting the basis of featured conclusions and presented interpretations was adopted. It gives the possibility to check the correctness of the presented results. In other words, it was assumed that frequent documenting of sources on the basis of which conclusions were drawn gives the possibility to verify the correctness of the established findings and constitutes a manifestation of scientific reliability. This type of conviction was applied to the presentation of the results obtained using each of the research methods used. Even if the norms of law are discussed, individual articles of acts are indicated,

⁵ O. Leszczak, *Metodologia-ontologia-epistemologia. Lingwosemiotyczne rozważania o pragmatyzmie funkcjonalnym*, [in:] *Rozważania metodologiczne. Język – literatura – teatr*, Warszawa 2000, p. 83.

because in the book their interpretation is most frequently presented. Thus, by indicating the article, it is possible to falsify the interpretation.

The temporal scope of the research was limited to 2007–2018. The adoption of the year 2007, as the opening turning point of research, results from the fact of adopting *the Act on Crisis Management* – a fundamental document for normative work arrangements. Thus, the current – issued after 2007 – legal acts regarding the title issues have been interesting for the ongoing deliberations. The closing date of the research period is determined by the pragmatism of the functioning of the system. In 2018, new organizational solutions were introduced at voivodeship level, regarding responsibility for flood prevention. Their inclusion seems to be an important issue for the subject of the presented book.

The structure of the work is problematic and consists of four chapters. It results from the adopted specific problems and formulated research hypotheses. The work begins with methodological explanations, followed by the presentation of normative aspects of crisis management – necessary to establish a pragmatic object of research. Explanations in the field of pragmatics have been included in the third chapter. Finally, the crisis management model, elaborated in the specification of normative and practical arrangements, was discussed.

The structure of the work imitates the method of narrowing the hermeneutical circle. The author is not interested in simply introducing the reader to the content of particular chapters of the book, but in preparing him/her to accept the overall theory of crisis management. Starting with the presentation of general issues, we move on to specific, even idiographical issues (in the second and third chapters) and finally, after the presentation of a synthesis of the previous findings, we return to the general ground again. The individual chapters are a kind of analytical deliberation, necessary to understand the next problem. However, only the whole book can be called a complete theory. The book is supposed to offer a hermeneutical model of understanding the problem of crisis management.

The first chapter consists of three subchapters. The first explains the methodological basis of the work and explains the principles of typologising security. This is the introductory section to the proper subject of the book – namely the theory of relational security and its refinement in the form of relational theory of crisis management. The work assumes two basic

perspectives of explaining security: subjective and objective. Within them, the types and kinds of security are described, and crisis management (as a special type) is placed – these issues make up the content of the second sub-chapter. The chapter ends with conclusions on the possibility of typologising crisis management. In the light of the above, it must be said that it constitutes a methodological base for the whole book. The conclusions made in this part of the work justify the choice of normative and pragmatic aspects as well as organizational and financial aspects as important issues for the description of crisis management. Crisis management is defined here as the relation between legal norms and the practice of the functioning of institutions responsible for their completion – which explains the choice of the topics of the second and third chapters. In addition, the chapter provides the theoretical justification for the sense of creating a crisis management model – the description of which is the subject of the fourth chapter.

The second chapter is devoted to the normative analysis of crisis management. It consists of three subchapters. It was placed before the pragmatic chapter for chronological reasons. The content of the Act regulated this issue and gave rise to the organization of crisis management structures (centres and teams) in 2007. Thus, legal norms are considered to be primary to the structure and pragmatics of crisis management. The first subchapter is devoted to the determination of the normative meaning of crisis management. The second subchapter contains a description of determinations regarding the scope of institutions with normative tasks in the field of crisis management. A *narrow* and *broad* understanding of the structure of crisis management (the scope of the institution) is distinguished here. The first resulted directly from the *act on crisis management*. The second was complementary to the first, because it took into account the content of other acts. The third subchapter is devoted to the description of crisis management financing issue. The problems of sources and principles of disbursement of financial resources in the scope of the studied matter are explained here. The statutory decisions were the basis for the determinations.

The third chapter is devoted to descriptions of the pragmatics of the functioning of crisis management institutions. The chapter consists of three subchapters. In the first of them, the territorial structure of crisis management was presented on the base of explanations build on Central Place Theory

W. Christaller, juxtaposed with the theory of the development stages of the centre and the periphery of J. Friedman. It presents the way of organizing and functioning of voivodeship, powiat and gmina crisis management centres – as a factor related to regional development. In the theory of hexagonal systems and also in the theory of settlement hierarchy one considers the possibility of explaining the central functions assigned to particular centres and their terrain allocation. On the basis of the normative findings of the second chapter, it was acknowledged the crisis management structure is based on crisis management centres. Therefore, in the third chapter, the description of the pragmatics of organization of the structure was limited to the issues of organization of centres. Additionally, during emergencies, the centres take over the burden of undertaken activities reserved for public administration. The issue of the functioning of crisis management institutions was established by the content of the second subchapter. It was decided that the most important factor from the point of view of the research objectives of this work will be to examine the activities during the crisis response phase – and thus during crisis situations. This is the type of structure that contributes the most to shaping crisis management – understood as the relation between legal norms and practice. The Polish structure of the division of competences to react in crisis situations is presented. It explains the way of universalisation of action schemes by linking them with catalogues, modules, procedures and operators. It also refers to crises in order to illustrate the ability to act of particular crisis management entities in an exemplary way. The chapter ends with a part devoted to the description of the sources and scale of expenses for crisis management in Poland.

The fourth chapter contains a description of the crisis management model, formulated through a relational statement of findings from previous chapters. This is a tripartite model. It includes a description of the essence, the issues of functioning of the structure and the issue of financing crisis management. It has been arranged in accordance with the settlements of the first chapter of the work. It was explained that an extensive description of the phenomenon should concern its essential, causal and genetic characteristics (essence, functioning and financial supply issues). The description of these elements of the model is the content of three subchapters. The first subchapter was devoted to explanations about the relational understanding of crisis management. It was acknowledged that

measurable risk indicators only indicate that they can be transformed into crisis situations. The distinction of crisis management should be based on a functional criterion and involves the need for cooperation between crisis management institutions. The second subchapter was devoted to descriptions of the crisis management structure in Poland. A juxtaposition of normative and practice arrangements shows deviations from the normative model. They are also noticeable in current development trends of crisis management in Poland – explanations on the topic end the subchapter. The last subchapter deals with the issue of financing crisis management. It illustrates the shortcomings of the existing legal norms in the regulation of the matter under examination. Possible sources and forms of crisis management financing are distinguished here.

Crisis management is an issue increasingly being undertaken in Polish literature on the subject. Available literature offers a broad perspective on the subject. It is worth mentioning such monographs as: K. Sienkiewicz-Małyjurek, F.R. Krynojewski *Crisis management in public administration*⁶ or *Crisis management in situations of non-military threats*⁷ E. Nowak, *Organization and functioning of the crisis management centre*⁸ G. Sobolewski and *Crisis threat*⁹ of the same author, publication *Crisis management in Poland* edited by M. Jabłonowski and L. Smolak¹⁰, or the work of W. Lidwa, W. Krzeszowski and W. Więcek *Management in emergency situations*¹¹ or R. Grocki *Crisis Management. Good practices*.¹² Despite the wide range of literature, it is worth noting the need of publishing new studies. In this work, was adopted other goals, and thus interpretational assumptions, than those present in the current scientific discourse. Book is interested in justifying and presenting the relational theory of crisis management created on the basis of normative findings and observation of their territorial implementation. This is served by the use of tools that are not yet available

⁶ K. Sienkiewicz-Małyjurek, F.R. Krynojewski, *Zarządzanie kryzysowe w administracji publicznej*, Warszawa 2010.

⁷ E. Nowak, *Zarządzanie kryzysowe w sytuacjach zagrożeń niemilitarnych*, AON, Warszawa 2007.

⁸ G. Sobolewski, *Organizacja i funkcjonowanie centrum zarządzania kryzysowego*, AON, Warszawa 2011.

⁹ G. Sobolewski, *Zagrożenie kryzysowe*, AON, Warszawa 2011.

¹⁰ M. Jabłonowski, L. Smolak, *Zarządzanie kryzysowe w Polsce*, Pułtusk 2007.

¹¹ W. Lidwa, W. Krzeszowski, W. Więcek, *Zarządzanie w sytuacjach kryzysowych*, Warszawa 2010.

¹² R. Grocki, *Zarządzanie kryzysowe. Dobre praktyki*, Difin, Warszawa 2012.

in the literature on security – functional-pragmatism methodology. The use of functional-pragmatic research methodology and its implementation to the problems of security management in public administration and the implementation of extensive field studies and source documents is the main scientific contribution of the work. The use of the methodology of functional pragmatism, the use of recognized research methods from the legal, political and economic sciences, adaptation of hermeneutical understanding of issues and Popper falsification is to improve the scientific value of the presented book.

In addition, it should be noted that in the literature on the subject there are deficiencies in the description of 1) the current legal status, 2) the crisis management financing, and 3) pragmatics itself (not to mention its details). Although in the Polish literature one can find titles on the normative aspects of crisis management. D. Wróblewski in 2014 prepared a work entitled *Review of selected normative documents in the field of crisis management and risk management*.¹³ In the same year P. Sokal and M. Pawełczyk published a book *Act on crisis management. Comment*.¹⁴ The older title (from 2010) is also worth mentioning: *Crisis management. A practical guide to the amendment of the Act* by W. Skomra.¹⁵ Unfortunately, these publications relate to the realities from before 2014. Thus, they often contain outdated data. In addition, none of them addresses normative issues in such a broad scope as the one presented in this study. The updating of knowledge in this field is considered as an additional scientific contribution to the hearing.

It should also be explained that in the Polish literature on the subject one can note a negligible amount of studies on the issues of financing the crisis management system. Apart from a few fragments of books¹⁶ and scientific articles¹⁷, there is still a publishing gap in the mentioned scope.

¹³ D. Wróblewski, *Przegląd wybranych dokumentów normatywnych z zakresu zarządzania kryzysowego i zarządzania ryzykiem*, CNBOP, Józefów 2014.

¹⁴ M. Pawełczyk, P. Sokal, *Ustawa o zarządzaniu kryzysowym. Komentarz*, Warszawa 2014.

¹⁵ W. Skomra, *Zarządzanie kryzysowe. Praktyczny przewodnik po nowelizacji ustawy*, Wrocław 2010.

¹⁶ K. Nizioł, *Finansowanie z budżetu państwa wydatków na zarządzanie kryzysowe*, "Prawo Finansów Publicznych" 2011, No. 1.

¹⁷ G. Wilk-Jakubowski, *Finansowanie systemu zarządzania kryzysowego w Polsce*, "Przedsiębiorczość i Zarządzanie" 2017, Vol. 18, Iss. 5, part 3 and P. Galiński, *Financial Aspects of Crisis Management in Local Governments in Poland*, "Slovak Scientific Journal Management: Science and Education" 2014, Vol. 2(3).

There are also no statements on the pragmatics of the functioning of the crisis management system based on systematic methodological analysis of source documents. This is an issue to which the entire third and partially fourth chapter of the presented work is devoted. The findings have been formulated on the basis of source documents obtained in 102 gminas, 13 poviats, 1 town and on the basis of documents available in voivodeship crisis management centres and annual reports from the state budget. It is recognized that the collected material is sufficient to draw justified conclusions about possible deviations from the normative model of crisis management in practice.

Thus, the presented book aspires to supplement the indicated publishing deficiencies and to propose a qualitatively new theory of crisis management. The theory based on functional- pragmatic premises, which takes into account both the normative and pragmatic aspects of the studied matter. All four chapters form the functional and pragmatic theory of crisis management. The first one is the theoretical background and contains methodological solutions. The second and third are a description of the results of the analysis of the sides of the crisis management relation – its normative and pragmatic aspects. The fourth chapter contains the core of the concept, because by demonstrating what is the relation between norms and practices presents the Polish model of crisis management.

CHAPTER I

FUNCTIONAL-PRAGMATIC BASIS OF CRISIS MANAGEMENT THEORY. TYPOLOGY OF THE PHENOMENON AND RESEARCH METHODOLOGY

Frequent attempts to classify security can be observed in the literature on the subject. The issue of risk characterization is an equally well-exploited matter. Both categories are usually presented as antinomic and related to the problem of existence. A breakup, destruction, fall, loss of life – that is the threat or actual cessation of existence – are to oppose security. However, the main question arises whether the indicated triad of concepts exhausts the spectrum of defining security. Thus, the presentation of the non-antinomic possibility of threatening the typology of security based on the category of relation is the purpose of the presented chapter. Therefore, it is also possible to draw conclusions for a detailed understanding of security – crisis management included as a relation, which is an element of national security.

The chapter presents the results of analyses based on the functional-pragmatism methodology. It originates admittedly from linguistic research, however, as the founder O. Leszczak points out: “I leave myself the right to consider functional pragmatism as a broader philosophical-semiotic approach, which is examined here only in accordance with the linguistic research. This means that the functional-pragmatic principles on which the linguistic research is based are here in question, which, however, absolutely does not mean that, depending on psychology or literary studies, I could talk about some other principles. In this way, I immediately make a reservation that the term ‘functional-pragmatic methodological principles’ is much broader than the term ‘methodological principles of functional pragmatism in linguistics’

and incorporates the latter such as general includes detailed.”¹⁸ The ontological notion of function and the epistemological concept of pragmatic attitude should be considered as the two main premises of functional pragmatism. The first premise means that the *functional* relationship is considered to be the basic category of explaining problems. Thus, various ways of explaining problems are considered to be secondary because they can be explained in terms of functions. Functional pragmatism is a dualistic stand, it always requires the identification of variable sides of relations. Thus, it is in the natural way closest to typologising the phenomena studied. The second premise – pragmatic – her basic assumptions are not fundamentally different from the agnostic principles of Kant’s critical theory and probabilistic assumptions of W. James’s pragmatism, F.C.S. Schiller’s humanism and J. Dewey’s instrumentalism – explains the author.¹⁹ Cognition is considered as an auxiliary activity that serves to ensure existence. The object of cognition is formed as a result of the functional correlation of the existing knowledge, intentions and facts of a specific activity. The basic criterion for distinguishing cognitive functions is the indication of their teleological application. Cognition has an adaptive function of existence, it can be used to adapt oneself to the environment but also the environment to our own needs. Thus, the pragmatic function extends between the goals of social and physical adaptation.

In this work functional pragmatism is at the core of the systematization of knowledge, useful when not excluding any detailed research methods. Among its research objects there can be found, for example, semantic functions (meanings of terms, lexical terms and meanings of words, judgments expressed in sentences, etc.), both phenomenological analysis, logical analysis, introspection method, classification and qualification method, structural-semantic analysis method, modelling method, as well as a method of definition can be used here. In the study of result or activity functions, the method of functional substitutions, recontextualisation, transformation of the studied units, the distribution-descriptive method, the method of observation and description, and many others can be successfully applied. None of these methods in themselves has an immanent power of persuasion. The application of a certain method, as well as the results of

¹⁸ O. Leszczak, *Metodologia-ontologia-epistemologia. Lingwosemiotyczne...*, op. cit., p. 79.

¹⁹ Ibid., p. 83.

its application, are fully dependent on these methodological guidelines that the researcher follows. In a natural way, therefore, the results of the applied research will be dependent, as systematized in accordance with the methodological assumptions.²⁰

The work consists of three basic parts. The first was devoted to explanations about the assumptions made in the work. The rules for creating a security typology are explained here. Therefore, this is a sub-chapter, an introduction to the main subject of discussion – namely the theory of relational security and its refinement in the form of a relational theory of crisis management. It consists of three elements: explanations about security in subjective and objective terms as well as states and scope of security. These are the issues that one by one form the content of the first part of the chapter. The next two subchapters contain conclusions on the possibilities of typologising crisis management – in subjective and objective terms. In view of the above, it should be stated that the chapter has a problem structure. First, general issues and typological tools were presented. Subsequently, detailed issues were clarified and these tools were used.

1.1. FUNCTIONAL SECURITY TYPOLOGY – RESEARCH METHODOLOGY AND INTRODUCTION TO TYPOLOGISATION OF CRISIS MANAGEMENT

The chapter presents a relational theory of security. It is a perspective in which security comes down to the category of relation. According to the definition, the relation is the resultant function of its sides. It acquires a term for what it 'connects.' Also, the relation sides acquire characteristics for the relation in which they remain. In other words, the relation sides are also relations.²¹ Security is considered a relation that combines the subject and the threat. Thus, in the adopted perspective, security – its definition and types – will depend on the sides: the type of functions in which the subject is created and the type of functions that create threats. The threat in the adopted perspective is not a typological security opposition or its dialectical

²⁰ Ibid., p. 84.

²¹ O. Leszczak, *Lingwosemiotyczna teoria doświadczenia. Funkcjonalno-pragmatyczna metodologia badań lingwosemiotycznych*, Uniwersytet Humanistyczno-Przyrodniczy, Kielce 2008, p. 19.

antithesis.²² It constitutes security and is one of the sides of relation and itself remains a relation.

Thus, it is recognized that the definition of security should be built on the basis of the binary relation – that is, the basic for typologising the category of relations. In this perspective, the security relation is the relations between the subject and the threat. Considering that the types are divided into types of relations, it should be acknowledged that security means only relations²³: reflexive²⁴, irreflexive antisymmetric²⁵, irreflexive symmetric.²⁶ A threat will not be just a lack of security, but an irreflexive asymmetric relation.²⁷ Thus, when typologising security, it should be stated that it is

²² J. Borowski, *Człowiek zagrożony i niebezpieczny. Socjologia i psychologia zagrożeń*, Warszawa 2011, p. 15.

²³ A relationship, dependence, connection, relation in logic are to have a similar meaning. They can determine, for example, the notion of being bigger for numbers, the relationship between volume and pressure, and the relationship between work and pay. Thus, it is worth trying to determine the relationship between the subject and the threat. It should first be explained that “in the case of a binary relation, the first domain is called a domain or a left domain. It is a set $D(R)$ consisting of the predecessors of ordered pairs (x, y) belonging to the relation R , that is, the definition of the relationship domain $D(R)$ is $D(R) = \{x : (x, y) \in R\}$. In the case of a binary relation the 2nd domain is called a codomain or right-domain. It is a set $D^*(R)$ consisting of successors of ordered pairs (x, y) belonging to the relation R , that is, the definition of the codomain of the relation $D^*(R)$ is $D^*(R) = \{y : (x, y) \in R\}$. Therefore, for the ordering purposes, the subject should be defined as a codomain (y) of a binary relation, while the threat will be its domain (x). Among the relations, the following should first of all be distinguish: 1) reflexive relation: $\forall x \in X : (xRx)$. Where the domain, but also the codomain, are in relation to themselves; 2) irreflexive relation: $\forall x \in X : \neg (xRx)$; 3) symmetric $\forall x, y \in X : (xRy \Rightarrow yRx)$; 4) asymmetric, $\forall x, y \in X : (xRy \Rightarrow \neg yRx)$; 5) antisymmetric $\forall x, y \in X : (xRy \wedge yRx \Rightarrow x = y)$.” K. Trzęsicki, *Elementy logiki i teorii mnogości*, Wyższa Szkoła Finansów i Zarządzania, Białystok 2004, pp. 197–198, 201–205.

²⁴ The subject remains in relation to itself. The relation with the threat does not concern the subject. $(\forall x \in X : (xRx)) \Rightarrow (\neg (xRy))$.

²⁵ It means balancing the threat and ownership of the subject $(\forall x \in X : \neg (xRx) \Rightarrow (\forall x, y \in X : (xRy \wedge yRx \Rightarrow x = y)))$. It is also about the relations on sentential functions of the type: $x + y = 0$ it expresses the “expresses the relation of having the opposite sign or, briefly, of being opposite; that is, the numbers x and y have the relation of being opposite if, and only if, $x + y = 0$. If we denote this relation by the symbol ‘P’, then the formulas: xPy and $x + y = 0$ are equivalent’ which means balancing the domain and the codomain.” A. Tarski, *Wprowadzenie do logiki*, Fundacja na rzecz Informatyki, Matematyki i Logiki, Warszawa 2012, p. 95.

²⁶ It means the threat acts on the subject, but at the same time the subject counteracts the threat $(\forall x \in X : \neg (xRx) \wedge (\forall x, y \in X : (xRy \Rightarrow yRx)))$.

²⁷ It means the threat acts on the subject, but without counteracting by the subject $(\forall x \in X : \neg (xRx) \wedge (\forall x, y \in X : (xRy \Rightarrow \neg yRx)))$.

a reflexive or irreflexive symmetric or irreflexive antisymmetric relation between the subject and the threat. In turn, danger means an irreflexive and asymmetric relation between the subject and the threat. When writing about a change in security, one should refer to the function, where the *value of the argument* and the *value of the function* can change. In this case, assuming that the value of the threat is the value of the argument, it must be less than or equal to the value of the function.²⁸ Security means, therefore, the kind of functions in which e.g. the counteracting abilities of the subject are greater than or equal to the impact of the threat on the subject. A danger will be the inverse function of the subject and threat. A threat, on the other hand, should be defined by the irreflexive asymmetric relation of the subject and phenomena, or by the minority function of the ability of the subject to counteract acting power of phenomena.

Functional-pragmatism assumes the anthropocentrism of relation. That is, each phenomenon is considered to be a function within the framework of human experience. At the same time, solipsistic stands are rejected. Communication – social interactions – is thus treated as the basic function of an individual experience.²⁹

It is also assumed that the human experience can be typologised on three scales: essential, genealogical and teleological. It is assumed that the full description of the object requires the definition of how it exists in human experience, what its attribution of origin is and what it serves as. As part of the extreme references of the first typological scale, the types of real entities and types of virtual entities are distinguished. It is assumed that “that the world of our sensory experience is understood as a time-space continuum and field of our activity, and the world of our conceptual experience – as a system of invariant (substantialist) and variant (processual) structures (relations) and a tool for shaping our experience.”³⁰ Real means, above all, possible in sensual experience, as well as the biological side of human being. It is the world of physical and biological objects. Real activity is characterized

²⁸ “Let now R be an arbitrary function, and x , any one of its argument values; let us denote the unique value y of the function corresponding to the value x of the argument by the symbol ' $R(x)$ '; we may then replace the formula: xRy by $R(x)=y$.” A. Tarski, *Wprowadzenie do logiki*, op. cit., p. 105.

²⁹ J. Taminiaux, *Phenomenology and the Problem of Action*, “Philosophy Social Criticism” 1986, No. 11, p. 216.

³⁰ O. Leszczak, *Lingwosemiotyczna teoria doświadczenia...*, op. cit., p. 170.

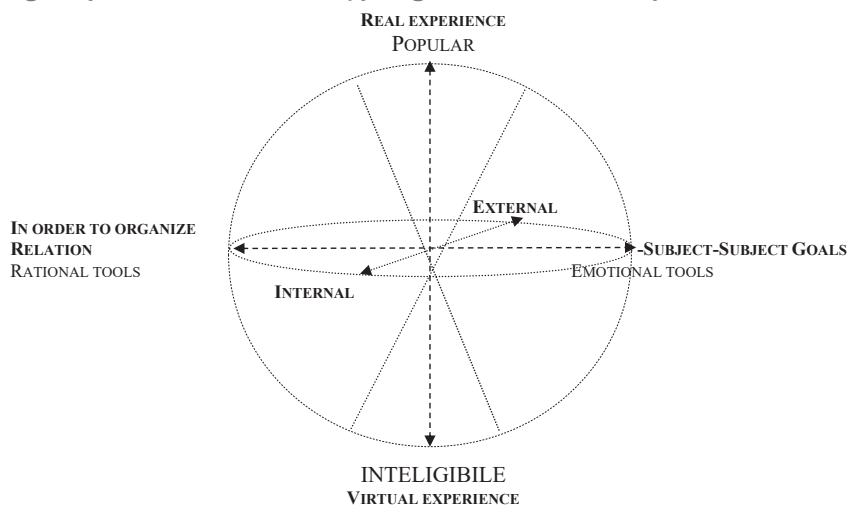
by an non-reflective and intuitive attitude towards the encountered objects. It is connected with fulfilling the needs of existence. Virtual means what is psychosocial. Virtual activity is focused on understanding and searching for meanings in the world. It is an activity characteristic of cognitive and expressive human activity. It strictly means science, philosophy and art.³¹ The second scale of typologisation – teleological – extends between object and subject relations. In other words, it is assumed that within the human experience one can distinguish objects that shape the relation of the subject with the object environment. This is the first extreme of scale. In opposition to it, there are objects that serve to implement connections between subjects. Rational actions are the most effective tools in achieving the goals. In turn, in regard to subject relations, emotional methods are the most effective tool for achieving aims. Thus, the teleological scale extends between object manipulation and social manipulation. Between shaping the natural environment and changing interpersonal relationships. This is the axis of goals, hence depending on the motive of action, or the function of the object, it will be placed closer or further to the extremes. The third scale – genetic – indicates the origin and causes of the object's activities. They can be individual or social, but also internally conditioned and externally imposed. Activities will therefore be typologised as, for example, motivated by the subject beliefs or performed due to, e.g., the order of other people. Both categories constitute extreme typological axes.³²

The overlapping of three typological axes creates a spherical model of typologising human experience. Thus, both the full definition of security, but also its sides should be placed on the mentioned axes of typologisation.

³¹ Ibid., p. 171.

³² Ibid., pp. 175, 182.

Fig. 1. Spherical model of the typologisation of human experience



Elaborated on the base of: a scheme of typology of linguo-semiotic experience.³³

While explaining what security is, defining how to understand *the subject and the threat in general* should be the starting point. Applying the assumptions made, the subject will be understood as a function of human experience. The subject can be understood personally as an individual unit – a person. It can also be considered structurally. In this sense, one should talk about a human community or an institution.³⁴ Pure imaginaries can also be considered as the subject. The category of subjective experience, unlike structural experience, does not cast any doubts. In other words, it is obvious that an individual unit experiences. Doubts can be provided by ‘structure experiencing.’ In the adopted perspective, a structural subject means an image of the world as part of an individual experience.³⁵ Image created

³³ O. Leszczak, *Lingwosemiotyka kultury*, Wydawnictwo Adama Marszałka, Toruń 2010, p. 17.

³⁴ W. Chojnacki, J. Świniarski, *Filozofia bezpieczeństwa*, ZUMS BN, Warszawa 2004, pp. 11–13.

³⁵ “The human world is a paradoxical being, because it consists simultaneously of the world (that is, of itself) and the human image of the world (means from our imaginations and thoughts about the world), while the boundary between these two sides of the ‘world-for-us’ simply does not exist. One goes into the other and none of our attempts to jump beyond and above ourselves, to separate our vision of the world from the world it ‘really’ is, to cleanse it from our prejudices and viewpoints it will simply fail.” O. Leszczak, *Stereotypy etnicznych obrazów świata w aspekcie typologii cywilizacji: metodologiczne załączki badania kontrastynowego*, [in:]

due to contacts with other people. Although this is a type of individual experience, its analysis emphasizes other relevant functions. Security therefore means a relation within the frames of individual experience, where subjective experience can constitute its side – recognized as the subject's identity and equated with a person. Otherwise, the side of relation may be the kind of experience in which the person identifies with the community. Here it should be talked about, for example, crowd psychology or the safety of groups or institutions. An individual will be the most real understanding of the subject. The more virtual the subject, the more we should talk about a certain hypostasis – though still within the framework of human experience. Thus, the subject of security may be: 'I' but also 'you', 'he', 'she', 'it.' Less specific are the plural subjects: we, you, them. Next, you can talk about the family, the commune, the circles of interest, the state administration or the nation as well as other collectives and institutions. The most extreme subjects are imaginations, ideas, abstracts. For this reason, H. Jonas could write about God who is not a safe God, because he is suffering and good, but not almighty at the same time.³⁶ For example, the state can be considered a security subject – although within the framework of methodological assumptions – it is a virtual experience, a hypostasis within the individual experience of persons. Thus, the subject typologised on the axis real-virtual is a personnel subject; more complex – structural; extremely abstract, they are imaginations. This is the essential axis – and so it illustrates how a subject exists in human experience. Thus, the threat in this context will involve the loss of the subject existence. However, the reference to their characteristics is essential to explain what is the loss of the existence of real and virtual subjects.

It is assumed that in order to talk about the subject, one should describe his *terms sine qua non*. These are the conditions of the subject's identity and they are constituted by the so-called *totality* and *homeostasis*. The concept of totality is inspired by Kantian categories of intellect, which is located at the basis of the spatial form of perceiving objects. In human experience, quantity and quality are the sides of the relation which form the whole.

Polityczne, gospodarcze i kulturowe aspekty relacji Polski z krajami byłego ZSRR, Kielce 2011, pp. 127–128.

³⁶ H. Jonas, *Idea Boga po Auschwitz*, Znak, Kraków 2003, pp. 35, 45.

It is impossible to experience either quantity or quality as such.³⁷ Objects are perceived as a whole – as quantity and quality at the same time. For example, thinking ‘three’ it is impossible to separate the number from the qualitative image, which may take the form of, for example, graphics ‘3’, three fingers, and the like. In a similar way, one cannot think of intrinsic quality. That is why while referring to the subject it is treated as a spatial quantitative and qualitative structure. The second necessary condition is homeostasis, which means the internal ‘structure’ of the subject. However, it is not organized on the basis of spatial relations, but on the basis of temporal relations. Homeostasis must be associated with the Kantian *unity of apperception*. The unity that must be founded as the basis for the possibility of psychic acts and their continuity.³⁸ Homeostasis is a broader category because it is not only related to the psychic structure of the subject. It can also determine information flow systems within, for example, public offices, or, as in psychology, can mean “natural regulation of blood flow in the body.”³⁹ Therefore, homeostasis is the assumed, because it is necessary, basis for the non-physical, synthetic unity of all objects. This is the basis for the perception of subjects as coherent and persistent while omitting their spatial characteristics. In this sense, one can talk about the mental cohesion of people, but also about the tradition of bonding the nation. The basic principle of the organization of the ‘internal structure’ understood in this way are the temporal relations of succession, duration and simultaneity. Totality and homeostasis determine the degree of abstractness of the subject. The more substantial to identity is totality, the more the entity is considered more real. The more important is homeostasis, the more abstract the subject is.

Thus, the quality and quantity – spatial totality – and the temporal organization of internal processes are meant when writing about the subject and the threat in general.

The threat characterization of a subject requires the introduction of the concept of sensitivity, which expresses the degree of permanency of

³⁷ I. Kant, *Prolegomena do wszelkiej przyszłej metafizyki, która będzie mogła wystąpić jako nauka*, PWN, Warszawa 1993, pp. 56–58 and I. Kant, *Krytyka czystego rozumu*, Antyk, Kęty 2001, pp. 117–118.

³⁸ I. Kant, *Critique of pure reason...*, op. cit., p. 155.

³⁹ A. Maslow, *Motivation and Personality*, Harper & Row, 1970, pp. 35–36.

totality and homeostasis of the subject. Sensitivity means an acceptable level of change in the subject while maintaining conditions *sine qua non* of its identity. Sensitivity in the presented approach concerns the subject's characteristics in general. However, the subjects while performing, that is, through active relations with the world, obtain specific features and different sensitivity. Thus, it is assumed that various subjects are able to maintain durability / identity to a different extent in violation of spatial structure and internal temporal unity. Thus, the threat is a function of the sensitivity of the object and the factors that cause changes in the subject. The threat is a relation that gains its detailed specification due to the sides it binds. The threat sides are: the subject (*sensitivity* of structure and *homeostate*) and phenomena that cause changes in totality and homeostasis. The threat is therefore the relation of the subject and phenomena. However, due to the sensitivity of the subject, it may turn out that the same phenomena for different subjects will have different threat functions. This is also the case of real threats, such as: physical, existential, threat of hunger, disease or large-scale fire. Virtual threats can be mentioned: the crisis of tradition, civilizational and cultural threats, threats to science achievements, etc.

Threats associated with the essential axis of typologisation are related to the violation of the conditions *sine qua non* of the presence of the subject. In this sense, the threat should be associated with the category of existence. In literature on the subject, the threat is defined as decay, deconstruction and disappearance.⁴⁰ These are the concepts by which the damage of existence gives the connotation of danger. According to the adopted methodological perspective, existence is a function of experience. By using Kantian terminology, existence is not a real predicate. The word 'exists', according to the author of the *Critique of Pure Reason*, expresses the statement. Depending on the situation, it may state a real or logical fact. The statement of existence is nothing more than the connection of a concept with the context of experience.⁴¹ It is a common mistake to associate logical concepts with the

⁴⁰ Grzegorz Sobolewski describes the crisis in the context of security threats as: "breakdown (liquidation) of the functioning of the subject." G. Sobolewski, *Zagrożenia kryzysowe...*, op. cit., p. 14.

⁴¹ In affirming existence, one speaks only of the inclusion of an object in a set of total experience. The illusion of the difference between the object of thought and the real thing results from the search for existence in itself, that is, without connection with experience. In the case of sensory objects, experience is the linking of an observation with an object on the basis of

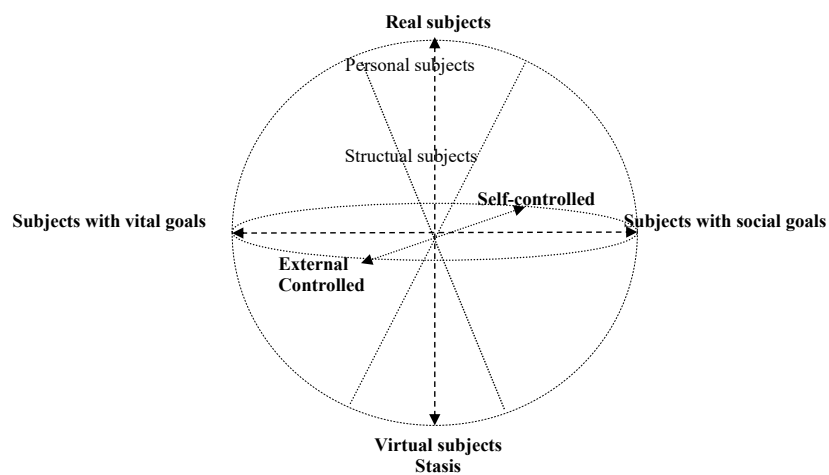
context of real experience – which, according to Kant, was to be done by Anselm of Canterbury in the so-called ontological proof.⁴² In other words, existence is a judgment that indicates the context of the experience of a given concept. It may be a context of sensory perception, it may be the context of a rational experience. However, it does not change the fact that to exist means to be in a logical (rational) or real (sensual) experience. Thus, annihilation in this context will be the disappearance of the object of experience. Precisely speaking, the disappearance of a specific experience. In the case of the subject, it will be a loss of experience of identity.

The threat to the existence of the subject – personal and structural – will be associated only with its essential characteristic. In the case of the second – teleological – axis of the typology of the experience object the threat should be defined differently. The goal of an individual, but also collective subject may be: organization of relations with the subject environment, but also with other subjects. In the first case, the use of emotional – ineffective – tools in favour of rational calculation is minimized. For example, when felling trees – subject manipulation – a sense will not be a very effective tool, the woodcutter's experience is rather used here. Considering this criterion, subjects that direct their own activities in a calculated way should be distinguished. Thus, the first extreme axis of typologisation will be economic subjects (created to ensure living needs). By trivializing, it is assumed that, for example, rational calculations, but not emotional dependencies play the most important role in management accounting. The second extreme typologisation will be subjects striving to achieve emotional goals. They will be purely social subjects. An example may be avant-garde art groups. On the teleological axis of typologisation, the threat will not be associated with the loss of the subject's identity, but with the failure to achieve the assumed goals. If the subject's main goal is to generate profits, then the threat will mean losing them. Even if it does not pose a threat to the existence of the company. Threats do not have to be current, they can be anticipated.

empirical laws. In the case of thoughts, we are dealing not with another subject but simply with a different context of experience. I. Kant, *Critique of pure reason*, op. cit., pp. 474–476.

⁴² Cf. Anselm of Canterbury, *Proslogion*, Kęty 2007, p. 145, with I. Kant, *Krytyka czystego rozumu*, op. cit, p. 474.

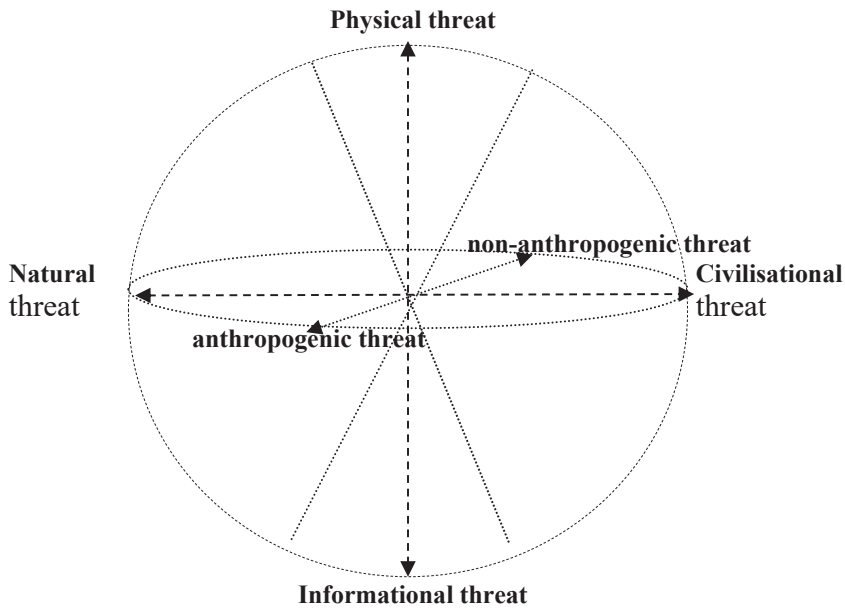
Fig. 2. Spherical model of the typologisation of subjects



Elaborated on the base of: a scheme of typology of linguo-semiotic experience.⁴³

⁴³ O. Leszczak, *Lingwosemiotyka kultury*, op. cit., p. 17.

Fig. 3. Spherical model of the typologisation of threats



Elaborated on the base of: a scheme of typology of linguo-semiotic experience.⁴⁴

To summarize, safety has been defined as the function of human experience. A relation that obtains its 'form' (more precisely specified) due to the sides of relation: the subject and the threat. Both the subject and the threat are functions within the framework of human experience. The subject may have an individual experience or a collective (world view) – that is, real and virtual experience. Subjects differ due to the internal and external structure and their goals. The disorder in the structure of the subject – the loss of identity – has been defined as the essential threat. Due to the goals of the activity, it is possible to distinguish purely economic and purely social subjects. The first bases their activity on rational calculation, the second on emotional dependencies. Therefore, the teleological threat consists in the inability to achieve goals. Subjects can be self-steering or externally controlled. Threat in this context means the loss of decision-making capacity.

⁴⁴ Ibid.

As part of the human experience, it is necessary to distinguish the subject activity, but also – if not primarily – object activity. The first one is directed at oneself, the second at what is external to the subject – other subjects and objects. Thus, one can typologise experience because of how one perceives oneself, identifies with others, hypostatizes, taking into account its origin and goals. One can also typologise the human experience of subjects and objects (items) external to the subject.

Security in terms of subjective and objective will mean other phenomena – a different type of experience. The subjective approach to security means the answer to the question who and how and for what reasons experiences security. Objective: to whom and why and for what purpose and reasons should safety be ensured.

1.1.1. POSSIBILITIES OF TYPOLOGISING SAFETY IN THE SUBJECTIVE PERSPECTIVE

Security means the relation of the subject and the threat. On the basis of the adopted assumptions, four basic types of security are distinguished, i.e. the relations of the subject and the threat: sense, knowledge, norm and value. The sense is an intuitive kind of reaction of the subject to the threat. Knowledge is the result of reflections on threats, including in itself the ideal of security. Value is the emotional motivation of the subject. The procedure is the result of the rationalization of needs. It indicates what the subject considers to be fraught with the possibility of danger. Procedures and values can have internal and external causes. They may be the result of own or imposed rationalization (reflection). An instruction for operating machines can be considered as an example of a procedure. The value can mean the willingness to impress colleagues with the speed of machine tasks. The procedure in this case often stands in opposition to values, which only indicates their teleological typological distinction.

Sense, knowledge, value and procedure may apply to various subjects – their typology is illustrated by the diagram presented above. What is important, however, they may concern an individual and collective subject. In this way, all four categories concern both personal and structural security. Thus, it is assumed that it is sensible to talk about, for example, an individual (personal) sense, but also a collective (structural) sense –

as the classics have already written about: Gustav LeBone⁴⁵ or Abraham Maslow.

Needs in psychology are understood as the basic dispositions for action, in large part they remain innate.⁴⁶ This is the state of the body called the motivational tension. The tension, in turn, means a reaction of the nervous system identical with discomfort.⁴⁷ According to A. Maslow, their lack of satisfaction may lead to impairment of function and even destruction of the organism.⁴⁸ In the case of needs of lower level – including security – it has so-called the nature of ‘shortage motivation.’⁴⁹ It is a reaction of the nervous system to a lack of resources. Needs and values play the role of basic motivating factors. The sense is the result of satisfying the need and realizing the value. Values are cognitive constructs, they have the nature of beliefs or concepts – say psychologists.⁵⁰ Henry A. Murray classifying needs distinguishes three concerning life without threats. These are: the need to avoid physical injury, the need to avoid psychological trauma from others and the need to avoid psychological trauma in one’s own eyes.⁵¹ Injuries are related to the category of totality and internal unity. Thus, they pose a threat to the subject’s identity. In this approach, both mental and physical damage is linked to the essential typology of threats. Needs are an inherent factor associated with the functioning of the human body⁵². In this sense, they mean the state of nervous tension, which manifests itself when the lack is not satisfied. In this meaning, safety is treated as a stimulating factor – that is motivational tension. The threat does not have to appear in fact, in real experience – it is enough that a person foresees the possibility of a lack.

⁴⁵ G. LeBone, *Psychologia tłumy*, Antyk, Kraków 1994.

⁴⁶ T. Mądrzycki, *Osobowość jako system tworzący i realizujący plany*, Gdańskie Wydawnictwo Psychologiczne, Gdańsk 1996, p. 27; R. Klamut, *Bezpieczeństwo jako pojęcie psychologiczne*, “Zeszyty Naukowe Politechniki Rzeszowskiej” 2012, No. 286, Iss. 19(4), p. 42.

⁴⁷ R.M. Akert, E. Aronson, T.D. Wilson, *Psychologia społeczna*, Zysk i S-ka, Poznań 1997, p. 110.

⁴⁸ A. Maslow, *Motivation and Personality*, op. cit., p. 37.

⁴⁹ P. G. Zimbardo, *Psychologia i życie*, PWN, Warszawa 1999, p. 650.

⁵⁰ R. Klamut, *Bezpieczeństwo jako pojęcie psychologiczne*, op. cit., pp. 43, 46.

⁵¹ Ibid., p. 43.

⁵² The need is characterized by: 1) Its fundamental purpose is existence; 2) The lack of semiotic meaning, that is, the communication code, communication procedures, or their results do not constitute its subject; 3) Lack of specialization of activity – everyone has needs regardless of physiological, moral, intellectual or social properties. O. Leszczak, *Lingwosemiotyczna teoria doświadczenia...*, op. cit., p. 14.

It should be noted that the needs in a psychological approach are to have motivational – therefore teleological – as well as intuitive – essential – dimension. Lack of resources causes the motivational tension of the body. In this sense, the need is an organism's adaptive mechanism. It is a purposeful tool aimed at maintaining internal balance. Thus, it should be placed on the teleological axis. Depending on whether it is to be used to adapt the subject to the object environment, it should adopt a rationalized form of reliable operating standards – procedures. If it is to be adapted to the social environment, it should take the form of emotionally charged dependencies – values. The needs in psychology are, however, intuitive (automatic), innate (genetically related to the subject). Thus, they are described in terms of two other typological axes: essential and causal. Therefore, it is necessary to state the necessity of 'breaking down' the psychological term of need. In psychology, it would mean that what is intuitive, but at the same time adaptive and innate. Although 'innate' in the adopted methodology, it will still mean the biosocial origin of needs. Adopted typologisation assumes social 'accretions' on the biological adaptive mechanism of the organism. To some extent, it is in line with the findings of psychologists.⁵³ The work proposes to divide the meaning of the need due to the description of the functions contained therein. The term sense, that is the intuitive reaction of the subject to a threat⁵⁴ is proposed to be used to what is intuitive,

⁵³ A. Maslow, *Motivation and Personality*, op. cit., p. 27.

⁵⁴ "I consider the distinction between 'feelings – emotions' introduced by Norbert Fries to be very important distinction in the matter of emotional evaluation (see N. Fries, *Emocje, aspekty eksperymentalne i lingwistyczne*, [in:] *Wartościowanie w języku i tekście*, Wydawnictwa Uniwersytetu Warszawskiego, Warszawa 1992, pp. 105–133). Feelings, according to Fries, are primary psycho-physiological and non-semiotic functions ('denoting physical and mental states'), whereas emotions are the results of cognitive-verbal development of feelings, i.e. they are secondary functions. Feelings are psychophysiological, while emotions arise as a result of some cognitive-communicative work. The pain may, depending on the pragmatic situation, certain assumptions of the traditional, cognitive or linguistic image of the world arouse completely different emotions in analogous cases, or may arouse the same emotions in completely different cases (e.g. somatic pain related to illness, stroke, injury or orgasmic pain). That is why emotions are to a large extent motivated by culture (conceptual network) and language, i.e. they have a socio-psychological character. All this means that in evaluating as an emotional and cognitive activity, we need to distinguish current feelings (created in a specific act of emotional experience), emotions (invariants of feelings, protected in the mental system of the individual) and concepts about emotions (as the results of reflection on emotions that can be explained by characters of different types)." O. Leszczak, *Metodologiczne*

automatic, non-reflective and non-conceptual in the need. The sense stands in a typological opposition to knowledge, and therefore a reflective and conceptual reaction to the threat. The axis of motivation – teleological – is proposed to be extended between the procedure and the value; between the rational and emotional way of adaptation to the natural and social environment. On each axis of typologisation, it will be possible to distinguish a number of intermediate objects. There should be a legal norm situated between the values and procedures. It should regulate people's behaviour in a manner of subject manipulation, but it is characterized by political convictions (values).

The scale of the opposition of norms and values is to extend between what serves the biological and social adaptation of the organism. Value in psychology is a category used to describe the behaviour of individuals in dealing with other people. They point to different motivations of people despite collective actions. In sociology, values are treated as certain principles professed and formalized by specific social groups. "F. Znaniecki referred to them explicitly as «the objective cultural elements of social life». [...] The meaning of values, therefore, gives it its social functioning. It appears that it is not only a function of desire (cravings and needs). It is primarily justified by moral, aesthetic or intellectual references."⁵⁵ In this sense, the value has a social, communicative, but also adaptive character. Their 'cultural objectivity' in the adopted methodological perspective means the system of group values. Being a member of a community requires confessing similar values. Therefore, the value is considered to be the extreme typological of the teleological axis. Creating values – communicative in essence – is a useful tool for shaping social relations. They can take the form characteristic of the departments of practical philosophy: aesthetics, ethics, epistemology, etc. However, more importantly for typologising security, a value as a type of experience is considered a 'regulator' of social relations. The literature of the subject rightly points to the statement of W. James: "in our real world the desires of the individual are just one of the conditions. There are also other individuals with their own desires, and above all one must win their favour.

zasady wartościowania i wartości jako koncept metodologiczny, [in:] *Dialog. Komparatystyka. Literatura*, D. Kasperski, D. Ulica (eds.), Warszawa 2002, p. 119.

⁵⁵ M. Trubas, *Bezpieczeństwo. Zarys teoretyczny*, Volumina.pl, Szczecin 2017, p. 73.

In our world, the multiplicity of Being grows with the coexistence of various oppositions.”⁵⁶ H. Arendt saw the communicative character of values even deeper, because in the basis of issuing judgments – *in common sense*.⁵⁷ The security as a value will therefore mean an ideal which motivates the subject to shape social relations in a desirable form. The procedure – the other side of the teleological safety relation is a guideline on how to shape the relationship of the subject and the objective surrounding. As the extreme of axis of typologisation, it determines the completed decision which is to ensure the effectiveness of achieving the objective goals. In this sense, the procedure can be called a completed decision. Depending on what the objective of the activity is, safety will mean achieving the assumed result. Security as a procedure will mean the form of implemented or planned subject manipulation. The closest to the extreme axis of typologisation will be the principles of health and safety at work. Their subject is each time – safe – achieving the goals of objective manipulation.

The value – procedure, sense – knowledge, external – internal are the basic types of security that can be used for thematic analysis of this concept. However, it should be stipulated that, firstly, the meaning of the other will be present in each of these security senses. However, from the typological point of view, the leading function of the experience is important. For example, it is difficult to absolutely express a sense of security – being the most individualized and all-inclusive experience – from a conglomerate of reason and feelings, or what is personal and structural. It should be remembered that in the security category as needs, other experiences will be present, albeit in a small – and thus marginalized – intensity. Secondly, these six types of security should be analysed through the prism of active and passive experience functions.

⁵⁶ Quote of O. Leszczak, *Metodologiczne zasady...*, op. cit., p. 133.

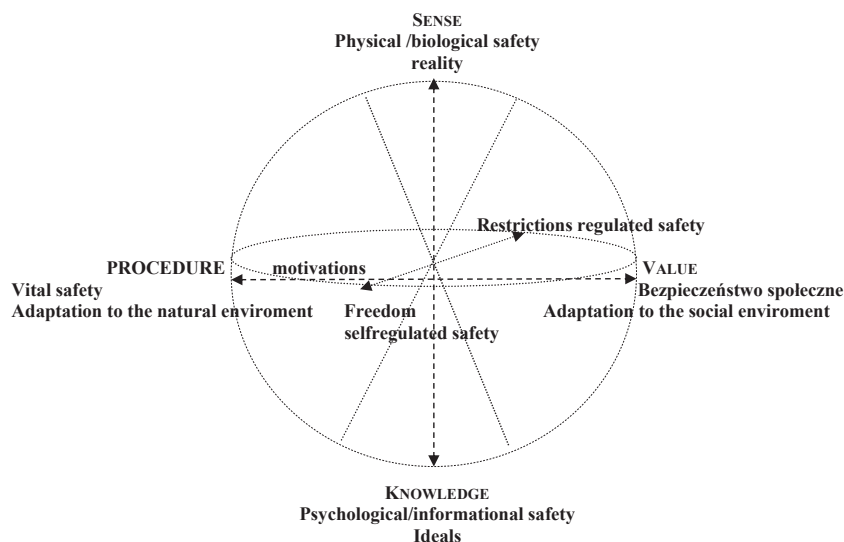
⁵⁷ “People = earthly creatures, living in communities, endowed with the common sense – *sensus communis* – with the community sense = non-autonomous units, in need of mutual companionship even to think” – she wrote. The ability of a person to judge is based on common sense, and therefore on communing with other people. Politics, as the art of making decisions, from the perspective of Arendt must be based on such common sense. H. Arendt, *Wykłady o filozofii politycznej Kanta*, Fundacja Augusta hr. Cieszkowskiego, Warszawa 2012, p. 48.

For example, security in the meaning of sense arises in active undertakings based on interaction with the environment and passive, receiving attitude of the subject. The sides of the relation are the active functions of the experience: sensory perception, objective manipulations, elementary production activity and passive: the state of physiological and emotional relaxation, the functions of sustaining the body alive and the functions of sustaining the relations of existential surrounding.⁵⁸ Security as a sense will be a type of passive reactions, although often related to the active aspect of experience. For example, a bang may cause motivational tension that automatically results, for example, in an escape or bending of a person. In this behaviour, despite the low degree of reflexivity, the phenomenon of semiotisation cannot be overcome. Of course, when writing about a sense of security, the importance of the experience function is primarily taken into account. In this case, the most important function is this what is the least reflective, the most individual and the most natural in a person.

When writing about security, we are dealing with three typological axes. The first is the opposition sense – knowledge, the second creates the procedure – value, the third internal regulations – external regulations. After the axes are overlapped, we obtain the full spectrum of possible safety understanding.

⁵⁸Ibid., pp. 17–18.

Fig. 4. Spherical model of the typologisation of security in subjective approach



Elaborated on the base of: a scheme of typology of linguo-semiotic experience.⁵⁹

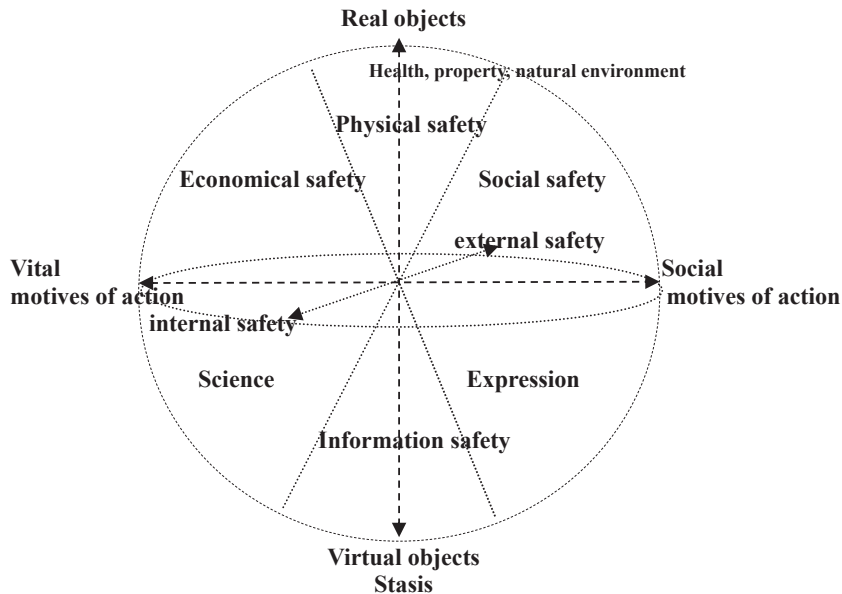
1.1.2. TYPES OF SECURITY IN OBJECTIVE PERSPECTIVE

As in the subjective typology, in the objective approach it should be written about generically the same threats. Thus, threats of: existence, function and origin. In other words, it is assumed that when describing an object one should speak about its totality and homeostasis (understood as the coherence of internal processes). It is necessary not to speak about goals but about the function of an object, that is, about the purpose of a given object, which may have a social or physical manipulative meaning. The object can be self-steering or externally controlled. Thus, the threats will mean loss of identity, functionality or control of the object.

⁵⁹ O. Leszczak, *Lingwosemiotyka kultury*, op. cit., p. 17.

Security is a reflexive or irreflexive symmetric or antisymmetric relation between the subject and the threat. The quoted definition does not cease to apply also in terms of subject matter. What distinguishes objective and subjective security is a kind of experience. In the first case, the asymmetry relation is directed at the subject. In the second at an external object: combines the experience / activity of the subject with the threat. In this way, it is possible to expound four basic categories of subject safety: physical and information security as well as public and economic security. Both types of opposition have internal and external variants.

Fig. 5. Spherical model of the typologisation of security in objective approach



Elaborated on the base of: a scheme of typology of linguo-semiotic experience.⁶⁰

The choice of names of particular types of security is dictated by the lack of more appropriate terms. Unfortunately, due to the ambiguity of the names used, the adopted solutions may be misleading and require clarification.

⁶⁰ Ibid.

Social security, which is sometimes associated with physical security⁶¹ in the literature of the subject, is here to mean the widest category of interpersonal relations. It concerns real objects, oriented on the regulation of social dependencies. It ends in a place where utilitarian goals, e.g. financial profits, are considered more important than social values. This is where one enters the economic security border. This position is to some extent concurrent with the explanations present in the literature on the subject. The categories of social security are widely regarded as a set of guard values that the state stands for. They contain a striving for undisturbed development, maintaining public order, guarantees of and civil liberties and freedom.⁶² Therefore, it is a broad sphere of social values – goals that people in social relations aspire to.

Each type of security was distinguished due to the relevance of the function of the object. Thus, in social security the most important issues are the protection of social values, such as the international order; the state, the nation, citizens, the family, or the environment as a natural good. Economic security can be distinguished due to the utilitarian values of the object to achieve the goal, e.g. profit. One can also talk about environmental security here, but because of the financial profitability of this type of protection.

Therefore, on the basis of the adopted methodology, one cannot speak about security categories, i.e. on distributive sets and finite sets.⁶³ It should be written about the types which, due to their functions, can fall into different types of security. For example, military security in the subjective aspect will mean security guaranteed by the armed forces. However, in the objective aspect, depending on the function performed, one should speak: once about social security, other times about economic security. The defence of the country will be a kind of social security, until the armed forces are used to protect the population. Also, offensive actions can be an element of social

⁶¹ J. Gierszewski, *Model bezpieczeństwa społecznego na tle teorii systemów*, "Colloquium Wydziału Nauk Humanistycznych i Społecznych" 2013, No. 2, pp. 69, 72.

⁶² J. Gierszewski, *Bezpieczeństwo społeczne. Studium z zakresu bezpieczeństwa narodowego*, Difin, Warszawa 2013, p. 174, and also M. Leszczyński, *Bezpieczeństwo społeczne a współczesne państwo*, "Zeszyty Naukowe Akademii Marynarki Wojennej" 2011, No. 2(185), p. 125.

⁶³ A. Skrabacz, *Bezpieczeństwo społeczne. Podstawy teoretyczne i praktyczne*, Elipsa, Warszawa 2012, p. 38 or M. Lisiecki, *Diagnoza i prognoza rozwiązań systemowych w zakresie organizacji i zarządzania bezpieczeństwem obywateli*, [in:] *Zarządzanie bezpieczeństwem – wyzwania XXI wieku*, M. Lisiecki (ed.), Wyższa Szkoła Zarządzania i Prawa, Warszawa 2008, p. 276.

security, taking into account not only the goals of protection of life, but also ideological goals, such as even the Nazi *lebensraum*. In case when they will serve territorial expansion, e.g. for obtaining mineral resources, then one should speak about economic security implemented by military forces.

The above explanations point to an additional issue important for distinguishing between types of security. Namely, the objective perspective seems to be more important for determining the kind of safety. In other words, to determine the types of security, it seems more important to whom or what it is provided for, than who provides it.

1.1.3. CATEGORIES OF CONDITION AND SCOPE IN THE RELATIONAL TYPOLOGY OF SECURITY

The adopted conclusions allow for further analysis of the ways of understanding security. Sense and knowledge, procedure and value are the basic level of subjective security analysis. Social and economic security, physical security and information are types of subjective security. The only more basic is the categorial level, i.e. the most general stage of reflection on the basic ontological object – relation. The next level of experience analysis is the level of complex relations. This is the level in which to describe secondary categories of relations, that is, those that can be explained by means of the notion of relation, one can come to more complex definitions of security. Secondary categories are concepts of process and substance as well as events. In other words, these are substantive relations, where the relations sides are the substratum of properties and attributes. Processual relations – relation sides are the substratum of properties and activities. An event is the relation of a substantial and processual relation.⁶⁴

The process is described by the characteristics of its conditions and the substances by means of the description of attributes. The process is considered as a relation of the side to temporal conditions. In this way, secondary safety definitions can be created. For example, treating the sides of relation as processual we will describe temporal conditions: change (panchronic approach), state (synchronous approach), succession (diachronic approach). In this way, one can speak about the state of security

⁶⁴O. Leszczak, *Lingwosemiotyczna teoria doświadczenia...*, op. cit., p. 20.

(here and now) about being in the state of security (panchronia) and about security changes (diachronia) due to both the subject and the threat. We therefore receive: a state of sense and knowledge; state of security standards and state of values; in the same way you can talk about the duration and changes in the sense, knowledge, norm and value of security. The same principle extends to the understanding of objective security, where one can talk about the states, changes and enduring a physical, information, social and economic security.

When describing security in an attribute manner, it should be reduced to description of the subject and threats' relations to their property. The description will contain primarily the static definitions of the system and the security structure (balance of power system, block system, cooperative security system, collective security system), as well as definitions referring to the territorial scope – local, regional, supra-regional and global security.⁶⁵ Of course, theories of security systems will differ. What is important for the considerations is the question of how to describe, for example, the system.

In summary, the basic types of security are those that can be distinguished on the three axes of typologising the experience: essential, here are the real and virtual entities and objects, teleological: those whose aim is objective or ideological manipulation; genetic: internal and external. Due to the secondary categories of temporal and attributive relations and events, one can write about states, changes, continuity, as well as about the system, structure and territorial scope of security. Combining them one should write about events.

The types of entities, threats, security and their processual or spatial characteristics are tools for analysing thematically complex concepts and the concept of security. Examples of complex security issues include: international and national security as well as: political, military, economic, social, cultural, ideological and ecological security. These are concepts with different meanings. The nation may be considered a subject of national security, but also the state. They have different goals. The nation strives to

⁶⁵ I use here the divisions proposed by R. Zięba in *Instytucjonalizacja bezpieczeństwa europejskiego*, Warszawa 2007, pp. 30–32. See also: P.G. Hristov, *Global dimensions of security and their projections into bulgarian law*, "Globalization, the State and the Individual" 2018, No. 2(18), pp. 8–9.

preserve tradition, language, state – sovereignty and territorial cohesion. There are ‘synthetic’ concepts that combine in the sense of national security the security of the state and the security of the nation. All this indicates that in the case of the concept one should talk about the thematic complexity of security. That is, the necessity to establish – to reduce to the basic types of experience – the scope of meaning of a given term.

1.2. POSSIBILITIES OF TYPOLOGISING CRISIS MANAGEMENT BASED ON THE SUBJECTIVE TYPES OF HUMAN ACTIVITY

In the literature on the subject, one can encounter very different understandings of the word security. The query *security* in the *Stanford Encyclopaedia of Philosophy*, displays results regarding data security, computer security, events, people, countries and many other meanings of the word being in question. Such broad definitional pluralism can be explained by indicating the various functions of the subject and the threat. The number of threats and ‘security’ depends in direct proportion on the number of subjects and objects of threat.⁶⁶ The greater the number of subjects providing security and facilities to which it is provided, the more types of security. The type of definition depends on the type of question being asked: does the security theory answer the question – who provides security? or – whom/what is it provided to? Therefore, it is possible to talk about objective and subjective definitions of security. The thematic complexity thus means a more detailed spherical typology of security. It is made on the basis of specifying the typology of subjective security or objective typology.

For the substance of the presented work, it is important to specify the typology of the warfare security, because within it will be distinguished national and internal security as well as crisis management. It is assumed that subjects of this type of security are focused on the protection of social values.

⁶⁶ The literature on the subject also emphasizes multi-layeredness, multi-levelity and multi-subjectivity of security. S. Sulowski, *O nowym paradygmacie bezpieczeństwa w erze globalizacji*, [in:] *Bezpieczeństwo wewnętrzne państwa. Wybrane zagadnienia*, S. Sulowski, M. Brzeziński (eds.), Warszawa 2009, p. 12.

However, it should be explained that in the analysis of national security and crisis management, which is its element, the appropriate research approach is the subjective perspective – it allows for the analysis of the phenomenon. National and internal security can also be analysed in the objective perspective. For they mean the activities of institutions as to ensure the law, public and economic order of the state.⁶⁷ The question what security status is desirable is more important for typologising internal security than the question who provides it. In this sense, national security would cover the external and internal activities of the state, where internal security would be deprived of international aspects.

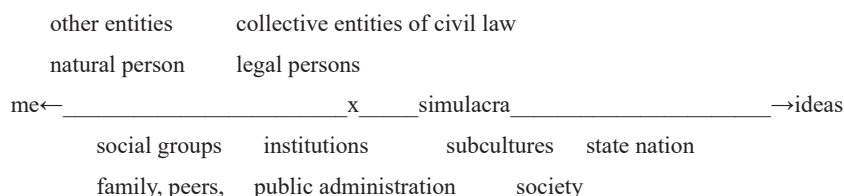
In the subjective perspective, national security is defined as state activity, whereas crisis management is the activity of public administration. Thus, the activity of structural subjects – state and administration – is typologised. In the case of crisis management, recognizing – in accordance with the statutory definition⁶⁸ that it is the activity of public administration – the subjective perspective can be preliminarily adopted. Spherical typography should begin with an analysis on the axis: real – virtual. It is there that the type of subject responsible for the analysed activity should be located. The axis stretches between the ‘I’ understood as the physical and psychological entirety and ideas, treated as the imaginaries of the subjects. In the centre of the axis, symbolizing the breakthrough moment, simulacra were distinguished. That means concepts – and therefore abstract reflections – created on the basis of real experiences. It can be said that the closer to the ‘idea’ of simulacra will have the form of abstraction based on concepts. Until the ‘simulacrisation’ of the community, they are considered conglomerates. After crossing, they mean complexes.⁶⁹

⁶⁷ The National Security Strategy of the Republic of Poland from 2007 defined internal security as: “the ability to react in the event of threats to public safety and general security related to protection of the legal order, life and health of citizens and national assets against unlawful activities and consequences of natural disasters, natural disasters and technical failures.” Available at <http://www.msz.gov.pl/resource/7d18e04d-8f23-4128-84b9-4f426346a112> [access date: 06.06.2017], p. 15.

⁶⁸ *Act on crisis management of 27 April 2007*, Dz.U. from 2017, item 209 1566, art. 2.

⁶⁹ The conglomerate is understood here as a collection that does not exist without its elements. A complex is a collection that can exist without its elements. A conglomerate, unlike a complex, cannot be an empty set.

Fig. 6. Essential axis of typologising identity of security subjects



Elaborated on the base of: a scheme of typology of linguo-semiotic experience.⁷⁰

Therefore, when speaking about security, it is necessary to determine the degree of abstractness of the subject to which it relates. Real entities will be more threatened by real phenomena. Virtual entities will be threatened the most by information phenomena. The best examples of depicting the idea of typologisation will be the categories of public administration and the state. Sometimes these terms are used interchangeably; therefore it is worth explaining the understanding applied here. The state in the context of the proposed typologisation is hypostasis. The same, which resounds in the words of Louis XIV, *the state is me*, or has it been developed in the words of B. Mussolini *lo stato totalitario; feroce volontà totalitaria*, translated as: “everything for the state, nothing but the state, everything in the state.”⁷¹ In this sense, the state referred to a certain image – the whole, the complex. It is not equated with either the territory or the population. Sometimes it takes the form of an idea as K. R. Popper imputed to Plato or J. Talmon to the *universal will* of J. J. Rousseau.⁷² H. Morgenthau adopted similar, though not identical, assumptions in the concept of political realism, recognizing only countries as subjects of international relations.⁷³ Public administration – often also called the state – is the idea of a conglomerate of decisions making units which a given area is bound by. For this reason, public administration

⁷⁰ O. Leszczak, *Lingwosemiotyka kultury*, op. cit., p. 17.

⁷¹ M. Zmierzak, *Totalitaryzm czy totalitaryzm? O kłopotach z definiowaniem pojęcia*, [in:] *Totalitaryzm: wybrane problemy teorii i praktyki: praca zbiorowa*, Wydawnictwo Naukowe INPiD UAM – Instytutu Nauk Politycznych i Dziennikarstwa Uniwersytetu im. Adama Mickiewicza, Poznań 2003, pp. 8–9.

⁷² J. Talmon, *Origins of Totalitarian Democracy*, Secker & Warburg, London 1966, p. 43, and K.R. Popper, *Spółeczeństwo otwarte i jego wrogowie*, PWN, Warszawa 1993, pp. 111, 116, 110.

⁷³ H. Morgenthau, *Politics among Nations. The Struggle for Power and Peace*, 1967.

is considered a more real function of experience than the idea of the state. Thus, the meaning of the term *security of the state* depends on the country in question.

For the typologisation of crisis management, the left side of the typology of entities presented above is important. Public administration has been positioned as a kind of real reference. From the functional point of view it will be the activity of people employed in offices. It is characterized by a higher degree of abstractness than the concept of a person or a family. However, it is not a hypostasis.

The axis of typologisation of a subject, due to the purpose of its activity, extends between the motives of shaping biological bonds and the desire to form social dependencies. Pure subjective manipulations and ideological manipulations are the extreme types of this activity. One could also talk about procedures and values as tools for achieving goals. Procedures are instructions of action that are to ensure success in activities with the object surrounding. Values are to shape relations with other objects. Naturalism means the desire to shape biological bonds with social tools and vice versa, which is why it was located in the middle of the axis. Normalization activity is treated as an objective activity, but one that takes into account the social context. Thus, the legislation – and hence what is interesting for the work – is treated as the sphere of rational, but also political, setting of norms of social life. In antiquity, not Athens but the Athenians were to constitute *polis*.⁷⁴ The law was to be designed in a way to allow free activity on the agora.⁷⁵ Norms were created, but their shape was subordinated to social expectations (although it is better to talk about political expectations in this context⁷⁶). Norm-creation does not necessarily mean only legislation. It may refer, for example, to the designation of the canon of art, the principles

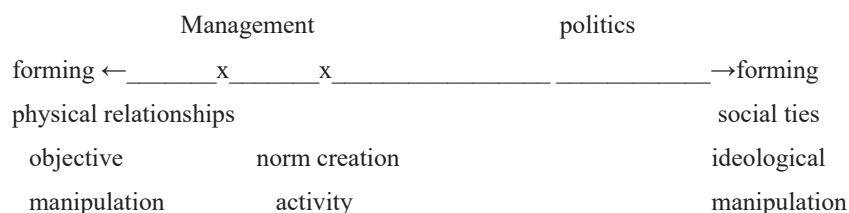
⁷⁴ H. Arendt, *Kondycja ludzka*, Aletheia, Warszawa 2001, p. 214.

⁷⁵ "The Greek word for the designation of law, *nomos*, comes from *nemein*, which means to divide, possess (what has been distributed) and dwell in [...] law *polis*, certainly went beyond this ancient understanding, but kept its original meaning. [...] [Law] was quite literally a wall, without which a city could exist in the sense of a group of houses, but not a city as a political community." In this sense, the law separated what is private from public activity. It created conditions in which such activity was possible. H. Arendt, *Kondycja ludzka...*, op. cit., p. 70.

⁷⁶ Hannah Arendt, referred to in this paragraph, believed that in ancient Greece there was no concept of society yet. In her opinion, the first signs of a modern 'discovery' of social relations can only be traced to the Roman *civitas*. Hence my reservation in the main text.

of good manners or morals. In the most general terms, this is about establishing social standards. They are placed closer to the end of subjective manipulation, but the norm is not an extreme of the axis. A management is placed between the normative activity, that is, setting rules / standards and subject manipulation. That is, the activities of implementation, but also the adaptation of norms to the possibility of subjective manipulation.

Fig. 7. Causal axis of typologising the goals of security subjects

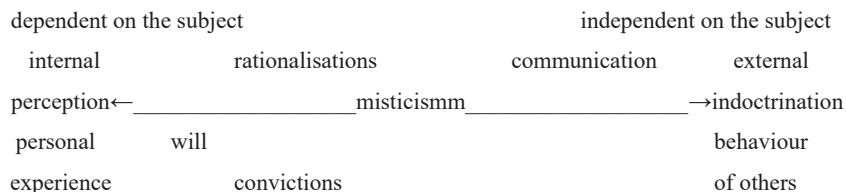


Elaborated on the base of: a scheme of typology of linguo-semiotic experience.⁷⁷

By placing the management between legislative activity and subject manipulation, the main research area for this work was set. It is the relationship between legal norms and field practice. According to the assumptions, it is necessary to look for a proper understanding of crisis management here. The functional and pragmatic method, normative and operational, therefore, means a research approach striving for a combination of law and pragmatics of the functioning of the structure to which this right applies. The same assumes that crisis management will be understood as a subject relationship (system participants) between legal norms and threats.

⁷⁷ O. Leszczak, *Lingwosemiotyka kultury*, op. cit., p. 17.

Fig. 8. Genetic axis of typologising causes for the operation of security subjects



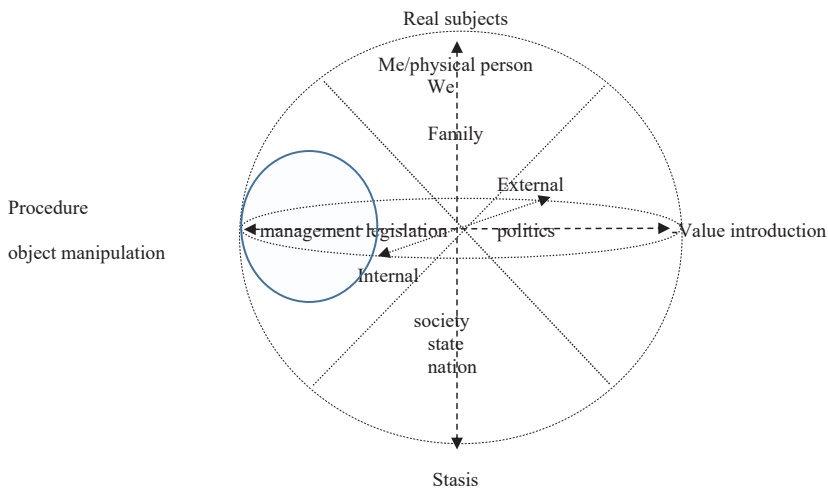
Elaborated on the base of: a scheme of typology of linguo-semiotic experience.⁷⁸

The axis of the causes of security extends between external and internal factors. This dimension of spherical typology does not significantly affect the way security is distinguished. The type of security depends rather on the subject category and its motivation. Especially that on the basis of the adopted methodology, what is external and internal is only a function of the experience of a particular person. A communicative function towards other people, but still within a particular person's experience. Thus, the dimensions of internal and external causes are a kind of experience that indicates the genesis of the phenomenon. The causes of phenomena are sought in the typological oppositions of what is dependent and non-dependent, as well as what is internal and external of the subject. An example of extreme causes such as a sense of security is sought in perception as a typically individual experience and in indoctrination – a social cause of behaviour. In other words, the extreme axes of typologisation are: individual experience of the subject and the behaviour of others. Mysticism has been placed in the middle of the typological axis. It is intended to mean the experience of a subject that is both its own and external. An example of this is the concept of an internal voice – its own and at the same time external experience. Generalizing this type of experience must assume the possibility of collective experience by an individual and the individual experience of the community. Between the extremes of typologisation axis, the inner experiences of a person are placed –emotion, will, rationalization, as well as communication – as a closer to external causes.

⁷⁸ Ibid.

By combining all three axis of typologising together it is possible to place the crisis management in general model of safety in subjective approach. The outcomes are presented below. The other colour was used to mark sphere of crisis management.

Fig. 9. Crisis management in spherical model of the typologisation of security in subjective approach



Elaborated on the base of: a scheme of typology of linguo-semiotic experience.⁷⁹

By placing crisis management in between normative and pragmatic activity the main field of inters of book was defined – relation. The subject of research lies between legislation and object manipulation. According to methodical assumptions, this place is correct to look for the meaning of crisis management. Functional-pragmatic method means the approaches to compare the normative and practical activity.

⁷⁹ Ibid.

1.3. THE OBJECT SCOPE OF THE TYPOLOGY OF CRISIS MANAGEMENT

The objective perspective in security means the answer to the question: whom or what is it provided to? In this way, security can be distinguished as: physical and virtual, physical and social, external and internal. Crisis management in accordance with the statutory definition is an action to protect people, property and the environment, carried out by public administration bodies.⁸⁰ It was therefore located in the internal security of the state and constitutes the field of physical and physical protection.⁸¹ In addition, it is a kind of management, thus it has been typologised as a relation of legal norms and *subjective manipulation* (relation of norms and practices). It should be noted, however, that neither the whole of legal norms nor the whole activity of public administration falls within the scope of crisis management. There is a need for decisions that will limit the research material and thus the results of the analyses presented in the following chapters. It is assumed that the presentation of crisis management as a kind of subject safety will systematize the substance of research.

According to the findings, the law on crisis management was located on the 'rational' side of the purposeful activities of human being. However, it did not constitute the extreme teleological axis of typologisation, because legislative activity is also burdened with what in this work was called politics. That is, activity based on obligations, emotional dependencies, social obligations – values. Typologisation assumes the possibility of grading the intensity of fulfilling various goals in human activity. For the purpose of distinguishing a particular type of human activity, the relevance of the functions performed is taken into account. The most important one is taken as representative for a given type. Classification is not created, but it offers a typology of human activity. The presence of value in legislation is not undesirable, let alone a strange phenomenon of this activity. It seems natural that certain political groups create laws in line with their own system of values. It is also assumed that the law on broadly understood

⁸⁰ *Act on crisis management of 27 April 2007*, op. cit., art. 2.

⁸¹ As it was explained earlier in the work the relevant typologisation function is considered to be the one that dominates in a given activity. Hence the typologisation of crisis management as physical and welfare protection, despite the fact that it also concerns cyberterrorism and social disinformation during crisis situations.

security – including crisis management – should take into account the achievements of international declarations for peace and human rights. These are documents that often cannot be included in the international legislative resource. Their validity results from the commitment of members of the international community to implement the provisions. To paraphrase, the basic human right is the right to have a right. It is a maxim that makes you aware of the binding power of, among others, international law. It is alive if it is abided. In this context, the right to have a right means a guarantee of the community in which one lives – also international.⁸² It is not, therefore, about compliance with the law because of sanctions, but because of values.⁸³ Thus, these documents of international law, which cannot be included in the legislative resources, are treated as a catalogue of written values. Thus, in the second chapter of the work, which was devoted to the normative aspects of crisis management, only the norms created in the Polish legal system or implemented into it are described.

In Poland, the Constitution of the Republic of Poland of 2 April 1997 is the fundamental legal act regulating security issues. The fundamental statute does not provide a definition of security. Also in the commentaries to the

⁸² H. Arendt, *Korzenie totalitaryzmu*, Wydawnictwo Akademickie i Profesjonalne, Warszawa 2008, Vol. 3, p. 413. Christoph Manke pointed out that Arendt's concept was created in response to the signing of the Universal Declaration of Human Rights in 1948. The German title of the article, which she later used in *The roots of totalitarianism* was: *Es gibt nur ein einziges Menschenrecht* (There is only one human right). Her title referred to the law that justifies all rights. It was *the right to have the right*. q.v. C. Manke, *The 'Aporias of Human Rights' and the 'One Human Right': Regarding the Coherence of Hannah Arendt's Argument*, "Social Research" 2007, Vol. 74, No. 3, p. 741.

⁸³ As an example one can cite a fragment of the Preamble of the United Nations Declaration of Human Rights. Universal "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world [...] everyone has the right to life, liberty and security of person." *Preamble of the United Nations Declaration of Human Rights*, art. 3, available at <http://www.un.org/en/universal-declaration-human-rights/> [access date: 26.12.2017].

In the Declaration, the security of an individual is the superior value to which the laws in force in a given country should be subordinated. The basic rights of the unit are: personal life and freedom, the right to human treatment, legal entity, protection of privacy, freedom of movement, intellectual freedom, social and health care. Due to the declarative power of the document – it was adopted unanimously – one should seek to reflect these values in the signatory system of the jurisprudence, including Poland (membership from October 16, 1945). M. Trubas, *Bezpieczeństwo. Zarys teoretyczny*, op. cit., p. 76.

Constitution, these explanations were not included.⁸⁴ That indicates that the doctrine of constitutional law did not develop a terminological apparatus in this regard. Nevertheless, in the literature on the subject, the particular significance of Article 5 is pointed out. On this basis, “The Republic of Poland shall safeguard the independence and integrity of its territory and ensure the freedoms and rights of persons and citizens, the security of the citizens, safeguard the national heritage and shall ensure the protection of the natural environment pursuant to the principles of sustainable development.”⁸⁵ According to the footnote quoted, public authorities are to ensure citizens' safety – while respecting their rights and freedoms. The security of citizens is a separate category of protection, different from ensuring freedom and human rights – that is, fundamental constitutional values. Thus, they are located in the catalogue of the so-called unnamed constitutional principles – formulated, but not developed.⁸⁶ This is the only case that is directly related to crisis management and will be taken into account in normative analyses. Other laws must address crisis management directly.

As for subject manipulation, the type of actions taken in crisis management depended on the threat category. Crisis management plans set out procedures whose implementation is to guarantee the control of danger. Therefore, it is important to consider the risks to which the procedures are envisaged. The National Crisis Management Plan includes their full catalogue. It includes 20 generically different dangers, such as: flood; large-scale hurricanes; strong frosts and snowfall; landslides; drought / heat; epidemics; chemical contamination on land; chemical contamination at sea; threats to telecommunications systems; disturbances in the power system; disturbances in the fuel system; disturbances in the gas system; forest fires; epizootics diseases; epiphytes; building disasters; radiation contamination; social protests; terrorist threat; cyberspace threats.⁸⁷ This catalogue of crisis

⁸⁴ P. Winczorek, *Komentarz do Konstytucji Rzeczypospolitej Polskiej z 2 kwietnia 1997 r.*, Warszawa 2000.

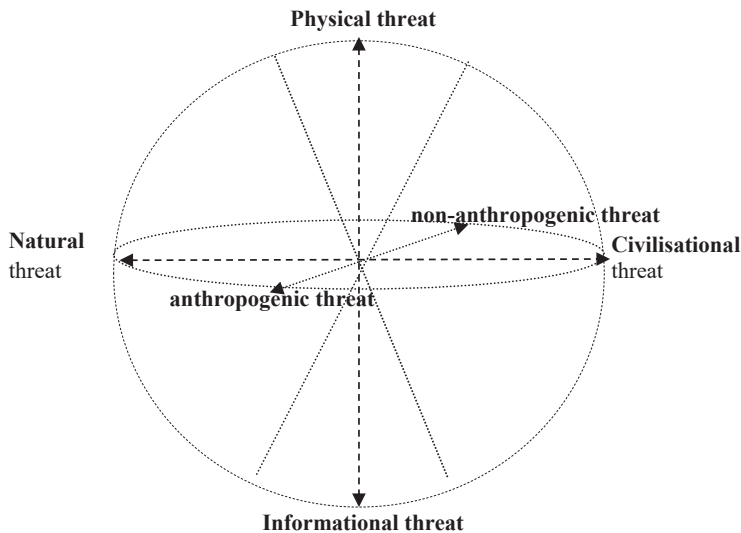
⁸⁵ *Constitution of the Republic of Poland of April 2, 1997*, Dz.U. from 2009 No. 114, item 946, art. 5.

⁸⁶ A. Bień-Kacała, *Bezpieczeństwo w Konstytucji RP z 1997 r. – wstępna diagnoza*, “Przegląd Prawa Konstytucyjnego” 2015, No. 2(24), p. 16.

⁸⁷ *National Crisis Management Plan 2013/2015*, available at <http://rcb.gov.pl/wp-content/uploads/KPZK-2013-2015.tj...pdf>, p. 46 [access date: 28.10.2017].

situations can be typologised based on the following criteria: genetic, causal and essential. In this approach, they should be divided into situations that fall within the scope between anthropogenic and non-anthropogenic threats (genetic approach); natural and civilizational (causal approach) and physical and information (essential approach). Spherical typology, by definition, places threats based on three criteria. This is also the case with, for example, natural and anthropogenic crisis situations – such as forest fires resulting from arson, floods caused by excessive water discharge, etc.; or civilization and non-anthropogenic crises such as: breaking telecommunications lines by excessive icing of energy traction, breaking communication routes during rainstorms etc. Most crises situations involve physical threats, but as cyber terrorism is also a threat to information – especially those stored electronically. Thus, the following spherical typology of crisis situations can be assumed in the adopted research perspective.

Fig. 10. Model of spherical typologisation of crisis situations



Elaborated on the base of: a scheme of typology of linguo-semiotic experience.⁸⁸

⁸⁸ O. Leszczak, *Lingwosemiotyka kultury*, op. cit., p. 17.

Detailed options for typologising crisis situations are presented in the tables below. Each of them has been assigned to the appropriate axis of typologisation.

Tab. 1. Table of possibilities for typologising crisis situations on the genetic axis

Anthropogenic crisis situations	Both possibilities	Non-anthropogenic crisis situations
chemical pollution on land	landslide	drought / heat
chemical pollution on at sea	epidemics	hurricanes
radiation contamination	threats to telecommunications systems	strong frosts and snowfall
civil protests	disturbances in the power system	
terrorist threat	disturbances in the fuel system	
	disturbances in the gas system	
	forest fires	
	epizootics	
	epiphytes	
	construction disasters	
	cyberspace threats	
	flood	

Elaborated on the base of: *National Crisis Management Plan 2013/2015*, op. cit., p. 46.

**Tab. 2. Table of possibilities for typologising crisis situations
on the causal axis**

Civilization crisis situations	Both possibilities	Natural crisis situations
threats to telecommunications systems	chemical contamination on land	flood
disturbances in the power system	chemical contamination at sea	hurricanes
disturbances in the fuel system	radiation contamination	strong frosts and snowfall
disturbances in the gas system	terrorist threat	drought / heat
cyberspace threats	construction disasters	landslides
	civil protests	forest fires
		epizootics
		epiphytes
		epidemics

Elaborated on the base of: *National Crisis Management Plan 2013/2015*, op. cit., p. 46.

**Tab. 3. Table of possibilities for typologising crisis situations
on the essential axis**

Information crisis situations	Both possibilities	Physical
	terrorist threat	flood
	construction disasters	hurricanes
	threats to telecommunications systems	strong frosts and snowfall
	cyberspace threats	drought / heat
	civil protests	landslides
		forest fires
		epizootics
		epiphytes
		chemical contamination on land
		chemical contamination at sea
		radiation contamination

Information crisis situations	Both possibilities	Physical
		disturbances in the power system
		disturbances in the fuel system
		disturbances in the gas system
		epidemics

Elaborated on the base of: *National Crisis Management Plan 2013/2015*, op. cit., p. 46.

On the basis of the provided explanations, it should be noted that crisis management was located between the legal standards in force in Poland and the activities of public administration bodies associated with a narrow (because only 20) threats. Of course, according to the adopted methodological perspective, the relation gains its identity thanks to the relation sides. As well the sides of the relation are further specified due to the fact of containing it. Therefore, it is considered natural – as resulting from the assumptions – to conduct analyses of legal norms that concern crisis management as well as to trace the practice of functioning of bodies responsible for them. The second chapter of the work is devoted to descriptions of the first issue. To explain the second problem, the third chapter was reserved. The fourth chapter, in turn, presents a relational theory of crisis management, which was created from a compilation of normative and pragmatic arrangements. In this way, the spherical models described above are implemented to create a descriptive model of crisis management. In other words, the theoretical solutions presented above may justify the method of drawing the final conclusions.

On the basis of the above explanations, several conclusions can be drawn: 1) The methodology of functional pragmatism provides tools for the non-antinomic typologisation of security and threat. 2) The basic division of security is the division into subjective and objective perspective. 3) Within the subject perspective, the following types of security are distinguished: *sense and knowledge*, the need understood as *social or utilitarian value*, the

ability to self-regulate or control another entity. 4) In the objective terms, the basic types of security are distinguished: *social and physical (economic); physical and informational; external and internal.* 5) Types are the sides of relation. Thus, there are many types of security. They are described on axes stretched between types. The criterion of differentiation is the dominant function in a given type of security. 6) Both subjective and objective security can be described by applying the process category (or state). 7) Crisis management is a detailed case of *physical security.* 8) In the subjective term, it is the activity of public administration located between *law-making* activity and *subject manipulation.* 9) In order to determine crisis management as the relationship between the legal norm and pragmatics, scope limitations of legal norms and pragmatics should be included in the research. 10) The current legal norms concerning crisis management are of interest to the conducted research. 11) Pragmatics means the activity of public administration against the twenty threats. 12) The spherical model has an universal value of typologization of social and economic phenomena in general and management in public administration in particular. It presents an anthropocentric approach to the study of the issue most often considered from objective positions has been proposed.

CHAPTER II

FIRST FUNCTION OF THE TYPOLOGICAL RELATION: NORMATIVE ASPECT OF CRISIS MANAGEMENT

The normative perspective of crisis management analysis is related to the functional distinction of the subject of research. It is assumed that the acts of law issued by law and legislative bodies have a regulatory framework regulating the executive activity. Documents issued by organs of the executive branch are treated as part of the system's pragmatics. For the content of the presented chapter, the most important are laws and resolutions, regulations with a delegation of legislative power. Therefore, the description of the crisis management structure is to consist in presenting the statutory catalogue of authorities responsible for crisis management and indicating their tasks in this field. Financial aspects in a normative perspective will mean, in turn, the scope of statutorily planned costs and a set of rules for their spending by crisis management bodies. The purpose of the presented chapter is therefore to present the results of analyses on the normative importance of crisis management, the scope of institutions responsible for crisis management as well as the sources and principles of its financing.

Several research methods have been selected to achieve the assumed goals. The content of the entire chapter is based on the results of research – according to the E. Babbie nomenclature – so-called non-reactive testing methods.⁸⁹ Examination of legal acts is treated as a special case of examination of texts. The results obtained in the semiotic analysis of documents are supplemented by findings based on a political method of decision making. It

⁸⁹ E. Babbie, *Podstawy badań społecznych*, Warszawa 2013, p. 368.

takes into account the reasons and aims of adopting the examined act. It was considered that this type of information would be relevant to the conclusions reached, especially in the context of the description of key legislation amendments. Uncovering the intent of the legislator allowed for a better interpretation of the act. As to the descriptions of the crisis management structure and its financing, the institutional and legal research method was used. The examination of legal acts took into account the category of institutions that created them. This method enabled a clear distinction between normative and pragmatic aspects of the structure.

The results of the findings are presented in three subchapters. The first of these describes the normative meaning of the concept of crisis management. Its separation consists in determining the relevant – from a normative point of view – crisis management function. It will be related to the concept of a crisis situation, thus the subchapter also contains explanations on the subject of the normative meaning of the term. This is part of the work that allows to specify the criterion for the separation of crisis management entities. It is assumed that knowing what crisis management is it is possible to determine which entities it concerns. Thus, it constitutes an introduction to the second subchapter, devoted to the presentation of the structure – the scope of entities – of crisis management in Poland. Due to the normative criteria for distinguishing institutions, they were divided into *broad* and *narrow* meaning of crisis management structures. The *narrow* meaning was determined based on the content of the *Act on Crisis Management*, *broad* based on other laws. The third subchapter deals with the financial aspects of crisis management. It contains explanations about the sources and principles of financing the examined matter.

2.1. THE SCOPE OF THE NORMATIVE DEFINITION OF CRISIS MANAGEMENT

The fundamental law act regulating crisis management in Poland is the Crisis Act of April 26, 2007. In Article 2 of the document, the legislator specified what should be understood under the term crisis management. According to the act: “crisis management is the activity of public administration bodies being an element of national security management, which consists in preventing crisis situations, preparing to take control

over them through planned actions, reacting in case of crisis situations, removing their consequences and restoring resources and critical infrastructure.”⁹⁰

The Act on Crisis Management, although it does not define the term public administration, contains a dispersed catalogue of its bodies. Thus, it can be acknowledged that the concept of public administration is formulated indirectly and concerns: the Council of Ministers⁹¹, the Prime Minister⁹², elected ministers and heads of central organs⁹³, voivode, voivodeship board⁹⁴, staroste, president, mayor, voit. However, it should be noted that under the Act, not all of these authorities are responsible for crisis management in the subordinate area. Thus, one should write about the leading – responsible – and supporting structures of the crisis management of the Republic of Poland. For example, in the voivodeship it is the voivode, but not the marshal or voivodeship board who has statutory tasks.⁹⁵ In addition, the scope of departmental bodies has been regulated by an executive document to the Act. *Regulation of the Council of Ministers of 15 December 2009 on defining government administration bodies that will establish crisis management centres, and the manner of*

⁹⁰ *The Act on crisis management of 27 April 2007*, op. cit., item 209, 1566, art. 2.

⁹¹ The Council of Ministers conducts crisis management in the territory of the Republic of Poland. *The Act on crisis management of 27 April 2007*, op. cit., art. 7.1.

⁹² According to art. 92 of the Constitution of the Republic of Poland, “regulations shall be issued on the basis of specific authorization contained in, and for the purpose of implementation of, statutes by the organs specified in the Constitution.” The bodies specified in the Constitution are both the Prime Minister and the Council of Ministers. Thus, they should be treated as a separate crisis management entities.

⁹³ Ministers in charge of government administration departments and heads of central offices carry out, in accordance with the scope of their competence, tasks related to crisis management. *The Act on crisis management of 27 April 2007*, op. cit., art. 12.1.

⁹⁴ The voivodeship board participates in the implementation of tasks in the field of crisis management, including civil planning, resulting from its competences. *The Act on crisis management of 27 April 2007*, op. cit., art. 15.

⁹⁵ *The Act on voivodeship self-government* imposes on the voivodeship self-government an obligation to carry out tasks related to security. They concern: defence, public safety, flood protection and equipment as well as maintenance of flood storage facilities. The last issue remains closely related to crisis management. *The Act of 5 June 1998 on the self-government of the voivodeship*, Dz.U. from 2017, item 2096, art. 14.

*their operation*⁹⁶ indicates the catalogue of 13 entities obliged to set up a crisis management centre. The obligation was imposed on: 1) Minister of National Defence; 2) Minister of Justice; 3) minister responsible for agriculture; 4) minister responsible for environmental affairs; 5) minister responsible for foreign affairs; 6) minister responsible for health matters; 7) Chief Commander of the State Fire Service; 8) Chief Commander of Police; 9) Chief Commander of Border Guard; 10) Head of the Internal Security Agency; 11) Head of the Intelligence Agency; 12) Head of the Military Counter-Intelligence Service; 13) Head of the Military Intelligence Service.

One should also pay attention to other normative understanding of public administration, which results from the content of *the act on government administration departments*. This is an understanding of the term related to the activities of the Ministry of the Interior and Administration. The aforementioned ministry was indicated as appropriate for locating public administration affairs.⁹⁷ Thus, it should be concluded that since the *Act on Crisis Management* imposes tasks on public administration, it is not directly applicable as well to the bodies subordinate to the Ministry of Interior and Administration. As subordinated or supervised by the Ministry of Interior and Administration, the following are mentioned: Chief Commander of Police; Chief Commander of Border Guard; Chief Commander of the State Fire Service; Chief of National Civil Defence; Head of the Office for Foreigners; Director of the Retirement and Pension Institution of the Ministry of the Interior.⁹⁸ From the point of view of the subject matter of the article, it will be vital to define the legal basis for participation in the crisis management of the first four bodies.

⁹⁶ *The Regulation of the Council of Ministers of 15 December 2009 determining which government authorities shall establish emergency management centres and defining their methods of operation*, Dz.U. from 2009 No. 226, item 1810.

⁹⁷ *The Act on Government Administration Departments of September 4, 1997*, Dz.U. from 2017, item 888, 1086, 1566, 1909, 2180, art. 29.4 and also *Ordinance of the Minister of Interior and Administration No. 6 of February 29, 2016, regarding the organization of the organizational regulations of the Ministry of the Interior and Administration*, Dz.U. MSWiA from 2016, item 7, art. 6.2.

⁹⁸ *The Regulation of the President of the Council of Ministers of 9 December 2015 amending the regulation on the detailed scope of activity of the Minister of Interior and Administration*, Dz.U. from 2015, item 2088.

The aforementioned catalogue coincides with the statutory definition of the scope of public administration tasks. The internal affairs department includes, in particular, combined governmental administration in the voivodeship, protection of public safety and order, civil defence, fire protection and counteracting the effects of natural disasters and other similar events threatening public safety.⁹⁹ *In the Act on voivode and government administration in the voivodeship of January 23, 2009*, there is no enumeration of the organs of the combined administration – subordinate to the voivode. It is only indicated that the mode of appointing and dismissing governmental bodies of combined administration in a voivodeship is determined by separate acts.¹⁰⁰ As in the case of the Voivodeship State Sanitary Inspector, the reporting relationship is determined by a separate Act.¹⁰¹ The catalogue of combined administration bodies is defined by the *statute of the voivodeship office* approved by the competent minister for administration.¹⁰² Examples of this type of bodies include: the Voivodeship Commander of the State Fire Service, the Voivodeship Commander of the Police, the Voivodeship Inspector for Environmental Protection, or the Voivodeship Veterinary Officer. It is worth adding that the established understanding coincides with the definition of public administration bodies included in the Code of Administrative Procedure. According to the Code, public administration means “ministers, central organs of government administration, voivodes acting in their own or on their own behalf, other local government administration bodies (combined and non-combined), bodies of local government units.”¹⁰³

According to the act on crisis management, the voivode performs his tasks “in cooperation with the competent public administration bodies.”¹⁰⁴ In this way, the legislator introduced the possibility of cooperation between

⁹⁹ *The Act on Administration Departments...*, op. cit., art. 6.1.

¹⁰⁰ *The Act of 23 January 2009 on the voivode and government administration in the voivodeship*, Dz.U. from 2017, item 935, 976, 1475, 1566, art. 52.

¹⁰¹ “The voivodeship state sanitary inspector and his deputy are appointed and dismissed by the voivode with the consent of the Chief Sanitary Inspector.” *The Act of 14 March 1985 on the State Sanitary Inspection*, Dz.U. from 2017, item 1261, 2111, art. 11, section 1.

¹⁰² *The Act of 23 January 2009 on the voivode...*, op. cit., art. 53, section 3.

¹⁰³ *The Act of June 14, 1960. The Code of Administrative Procedure*, Dz.U. from 2018, item 149, art. 5, § 2, point 3.

¹⁰⁴ *The Act of 26 April 2007 on management*, Dz.U. from 2021, item 159, art. 14, section 5.

the voivode and the local bodies of non-combined administration.¹⁰⁵ Thus, the legislator included another catalogue of institutions in the scope of crisis management entities. The example organs of the non-joint public administration – subordinated to the relevant minister or central authorities – include: directors of district mining offices, poviats veterinary surgeons, commanders of the Border Guard units.¹⁰⁶ They will participate in crisis management in the area of crisis situations within their competence. Pursuant to Article 25 of the Crisis Management Act: “Armed forces departments may participate in the implementation of tasks in the field of crisis management, according to their specialist preparation, in accordance with the voivodeship crisis management plan.”¹⁰⁷

Lexically speaking, administration is an executive and management activity, carried out by government and self-government administration bodies – that is, public administration bodies. However, it is necessary to distinguish public administration bodies indicated in *the Act on crisis management* from those which: are subject to the Ministry of the Interior and Administration; they are part of the combined and non-combined administration; and those indicated in the *Regulation of the Council of Ministers of 15 December 2009* (the Minister of National Defence, the Minister of Justice, the competent minister for agriculture, the competent minister for the environment, the competent minister for foreign affairs, the competent minister for health and heads of the Internal Security Agency and offices of Intelligence and Military Counterintelligence). *The Crisis Management Act* has set out strictly the catalogue of institutions that bear the burden of preventing and planning in the event of a crisis, as well as reacting and rebuilding when it occurs. This type of understanding of public administration will be referred to as a *narrow* definition. On the other hand, the catalogue of other executive bodies will be defined as a *broad* definition of public administration. The development of the statutory definition of crisis management is the base of relationship between both categories.

¹⁰⁵ *Rationale for the draft Act amending the act on crisis management, including draft executive acts*, Sejm print No. 1699, p. 9.

¹⁰⁶ *The Act of 23 January 2009 on the voivode...*, op. cit., art. 56.

¹⁰⁷ *The Act of 26 April 2007 on management*, op. cit., art. 25, point 2.

The legalistic concept of crisis management is directly related to the concept of a *crisis situation*. Based on the statutory definition of crisis management, it can be concluded that crisis management is a way of reacting of public authorities to a crisis situation, a 'four-way' reaction, consisting in preventing, counteracting, reacting and rebuilding after its occurrence. In turn, pursuant to art. 3 of the Act, "a crisis situation is a situation adversely affecting the level of public security, their property and environment, causing a significant reduction in the operation of competent public administration authorities, due to the inadequacy of the means and sources possessed."¹⁰⁸ In other words, it is a threat to people, property or the environment, which requires the public administration to involve additional means and sources.

The scope of the concept of a crisis situation was clarified by the Constitutional Tribunal. In the Judgment of April 21, 2009, the Tribunal stated that, the crisis situation is generically quite different from constitutional extraordinary measures. Therefore, it should be included in the 'normal' functioning of the state.¹⁰⁹ It repeated his position with respect to the amended act in 2012.¹¹⁰ The Tribunal ruled that the Constitution of the Republic of Poland of April 2, 1997 knows only two states of the functioning of the state – normal and extraordinary, with which there are completely different restrictions on freedom and human and civil rights. The crisis situation is in the normal state, because it does not give rise to restrictions reserved for extraordinary measures.¹¹¹ Therefore, the inadequacy of means and sources should be considered the beginning of a crisis situation. On the other hand, the introduction of extraordinary measures marks its typological ending.

In summary, crisis management is the activity of public administration in response to the usual state of emergency, but it goes beyond the own means and sources of the administration.

¹⁰⁸ Ibid., art. 3.

¹⁰⁹ *Judgment of the Constitutional Tribunal of April 21, 2009*, Ref. act K 50/07, Dz.U. from 2009 No. 65, item 553, p. 6, available at <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20090650553> [access date: 28.10.2017].

¹¹⁰ *Judgment of the Constitutional Tribunal of July 3, 2012*, Ref. act K 22/09, Dz.U. from 2012, item 79, pp. 9–10, available at <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20120000799> [access date: 28.10.2017].

¹¹¹ M. Brzeziński, *Sytuacja kryzysowa w rozumieniu ustawy z dnia 26 kwietnia 2007 r. o zarządzaniu kryzysowym – analiza pojęcia*, "e-Policon", Vol. VI, summer 2013, pp. 95–96.

2.2. NORMATIVE STRUCTURE OF CRISIS MANAGEMENT

In the literature on the subject, a common model of explaining crisis management is based on system analysis.¹¹² According to E. Nowak, the crisis management system is “a system that can be separated from the whole; managing authorities; information connections necessary to implement the management process; methods and activities regulating the way and principles of functioning of a given organization in accordance with the objectives set; while it is a system that dynamically changes over time, and the driving force behind the introduced changes regarding all elements of this system are the managing bodies.”¹¹³ However, it should be remembered that such analysis requires strict conditions to be met. “The system is a collection of elements and relations between them. In turn, the application of the systemic method requires compliance with several rigidities: accuracy: the system should be specified, so that it is known what belongs to it and what does not belong; immutability: the system definition should remain unchanged throughout the whole discussion; the completeness of the [...] system cannot contain elements that do not belong to any of its subsystems. Separability – the system cannot contain elements belonging to several systems at once. Functionality – systems should be separated due to their functions and not due to spatial separation.”¹¹⁴ For the deliberations under consideration, there is no need for a systematic way of explaining the role of crisis management participants. Normative arrangements are static – they contain a rigid catalogue of institutions, as specified in documents. For this reason – in the current point of this work – the determination of the subjective scope of crisis management will not be based on the criterion of functionality. The structure will mean a subjective approach to crisis management activity – an institutional analysis of crisis management in Poland. In the adopted research perspective, it is interesting to know what institutions have been involved in crisis management. Their specification is required to define the normative framework of their

¹¹² K. Sienkiewicz- Małjurek, F. R. Krynojewski, *Zarządzanie kryzysowe...*, op. cit., p. 13.

¹¹³ E. Nowak, *Zarządzanie kryzysowe...*, op. cit., p. 46.

¹¹⁴ M. Mazur, *Pojęcie systemu i rygory jego stosowania*, [in:] *Materiały Szkoły Podstaw Inżynierii Systemów*, No. 2, Komitet Budowy Maszyn PAN, Orzysz 1976, pp. 3–5, available at <http://autonom.edu.pl> [access date: 26.12.2017].

activities – which is the main purpose of this chapter. Thus, the issues of relations between participants of crisis management are left on the side of interest. If, therefore, systemic tools are rejected, a different criterion for distinguishing crisis management entities is needed. For the purpose of this work, it is a catalogue of a *narrower* and *broadier* understanding of public administration.

The structure of governing bodies in Poland is five-level. The first level is the government level, the second – departmental, third – voivodeship, fourth – powiat, fifth – gmina. Each level – apart from the gmina, as below – consists of three elements:

- decision-making bodies – respectively: Prime Minister, Minister or head of central organs¹¹⁵, Voivode, Staroste, Voit, Mayor, President.¹¹⁶
- consultative and advisory body – teams with consultative and advisory functions, defining actions in a given crisis situation, recommending solutions. These bodies are: the Government Crisis Management Team, the Department Crisis Management Teams, the Voivodeship Crisis Management Team, the Powiat Crisis Management Team and the Gmina Crisis Management Team.
- a planning and coordinating unit – performing functions of providing ongoing activities, including civil planning, which constantly analyses and assesses the situation and coordinates the functioning of the system.¹¹⁷ These are: National Centre for Crisis Management¹¹⁸, Department, Voivodeship, Powiat and non-obligatory Gmina Crisis Management Centre. The Act on Crisis Management does not impose the obligation to create crisis management centres in gminas.

¹¹⁵ *The Regulation of the Council of Ministers of 15 December 2009 determining which government authorities shall establish emergency management centres...*, op. cit.

¹¹⁶ *The Act of April 26, 2007 on Crisis Management*, Dz.U. from 2017, item 209, 1566, art. 7, 14, 17, 19.

¹¹⁷ G. Sobolewski, *Struktura systemu zarządzania kryzysowego w Polsce – uwarunkowania, zadania i funkcjonowanie*, [in:] *Wybrane zagadnienia z zakresu planowania cywilnego w systemie zarządzania kryzysowego RP*, D. Wróblewski (ed.), Józefów 2014, p. 46.

¹¹⁸ The Operational-Analytical Centre as part of the Bureau for Analysis and Response of the Government Centre for Security is the national centre for crisis management. § 3. 1. *Regulation of the Prime Minister of 11 April 2011 on the organization and operation of the Government Centre for Security*, Dz.U. from 2015, item 508.

The structure is complemented by public administration entities in a *broader* sense and owners of critical infrastructure.

The Government Crisis Management Team and lower-level teams – were set up as “consultative and advisory bodies competent in the matter of triggering and coordinating activities undertaken in the field of crisis management.”¹¹⁹ At the government level, the Team was established by ministers responsible for sensitive departments for state stability appointed by the Prime Minister: the Prime Minister, the Minister of National Defence and the minister responsible for internal affairs, the Minister of Foreign Affairs, the Minister Coordinator of Special Services – if appointed. The ministerial composition was joined by heads of special services and other entities (including the Chief Surveyor of the Country, Chief Sanitary Inspector, Chief Veterinary Officer, Chief Commander of the State Fire Service, Chief Commander of Police, Chief Commander of Border Guard, President of the National Atomic Energy Agency, President of the National Water Management Board, the President of the Civil Aviation Office, the Head of the National Security Bureau or other representatives appointed by the President).¹²⁰ The work of the Government Crisis Management Team is directed by the chairman (Prime Minister) or the deputy appointed by him. The composition of the Team is defined by the Chairman “taking into account the type of crisis situation or the issue requiring discussion at the Team meeting.”¹²¹

Lower-level Crisis Management Teams include: decision-making bodies (voivode, staroste, vojt, mayor, president) as the chairman and deputy, who is usually the head of the organizational unit competent in crisis management matters in the office. The composition is supplemented by persons indicated by the chairman depending on the needs.¹²²

Another entity listed in the Act is the Government Centre for Security – a budgetary unit subordinate to the Prime Minister.¹²³ In view of the competence disputes arising around the creation of the Centre, the

¹¹⁹ *The Act on Crisis Management...*, op. cit., art. 8.

¹²⁰ *Ibid.*

¹²¹ *Ordinance No. 67 of the Prime Minister of October 15, 2014 on the organization and operation of the Government Crisis Management Team*, Dz.U. from 2014, item 926, § 2.

¹²² *The Act on Crisis Management...*, op. cit., art. 12, section 2b, art. 14, 17, 19.

¹²³ *Ibid.*, art. 10, section 1.

legislator intentionally gave it the status of a budgetary unit. Witold Drózdź – Undersecretary of State in the Ministry of the Interior and Administration in 2009 – emphasized that the Government Centre for Security as a state budget unit must have its own logistical, personnel and financial structures as well as protection of classified information.¹²⁴ By creating a budgetary unit, the Government Centre for Security was thus given a more than department character. It is not an organizational unit of any existing ministries, although it uses the powers of several ministries (including the Ministry of the Interior and Administration, the Ministry of Health, and the Ministry of Foreign Affairs). The Government Centre for Security consists of: 1) a director and two deputy directors; 2) Analysis and Response Office; 3) Office of Logistics and Finance; 4) Civil Planning Bureau and Critical Infrastructure Protection Office; 5) Independent Department of Protection and Control.¹²⁵

Lower-level Crisis Management Centres were established by executive acts to the *Act on Crisis Management or to the Regulation of the Council of Ministers of December 15, 2009*. The departmental level took advantage of the statutory possibility of transferring the duties of 24-hour on-call duty to an already existing units and subordinate to a given central institution.¹²⁶ In this way, the Centre for Crisis Management of the Ministry of National Defence was established. The Centre has taken over the rights and duties of the Duty Operational Service of the Armed Forces of the Republic of Poland. At the same time, it became an organizational unit subordinate to the Minister of National Defence, directly subordinated

¹²⁴ Answer by Witold Drózdź – Undersecretary of State in the Ministry of the Interior and Administration – under the authority of the Prime Minister – for interpellation No. 3701 regarding the establishment of the Government Centre for Security dated July 10, 2008, available at <http://orka2.sejm.gov.pl/IZ6.nsf/main/638BC63C> [access date: 20.01.2018].

¹²⁵ Regulation of the President of the Council of Ministers of November 21, 2014 amending the regulation on the organization and operation of the Government Centre for Security, Dz.U. from 2011, item 1729, § 1.1.

¹²⁶ The Act on Crisis Management..., op. cit., art. 13 section 2a, "The obligation to establish a crisis management centre is considered to be fulfilled if the authority referred to in section 1, created an organizational unit in the office that serves it or an organizational unit subject to him or supervised, responsible for 24-hour duty and guaranteeing the implementation of tasks".

to the Chief of General Staff of the Polish Army.¹²⁷ Similarly, under the ordinance of the Commander-in-Chief of the Fire Brigade, the National Centre for Coordination of Rescue and Civil Protection acts as a crisis management centre in the scope specified for the Commander-in-Chief of the Fire Brigade and the competent minister of internal affairs.¹²⁸

The Crisis Management Centre of the Minister of Justice was created as part of the Office of Protection of the Minister of Justice. According to the Minister's order, "24-hour monitoring and the functioning of the reporting system are provided by officers of the Prison Service serving in the Security Control Head of the Ministry of Justice."¹²⁹ In the Ministry of Agriculture and Rural Development, the implementation of the regulation is provided by the Department of Crisis Management of Defence Matters and Protection of Classified Information.¹³⁰ As part of the Ministry of Environment, the Centre was created in the Office of the Director General.¹³¹ The working mode for ordinary situations consists in performing duties at the Centre on business days during working hours. Outside the office's working hours, there is a call on duty by the Centre Manager and the Director of the organizational unit of the Ministry of the Environment competent in the field of crisis management. In the Ministry of Foreign Affairs, the Centre's tasks are performed by the Operational Centre – the organizational unit of the office "ensuring efficient, round-the-clock circulation of critical information in

¹²⁷ Decision No. 245/MON of the Minister of National Defence of 07 July 2010 on the creation of a Crisis Centre for the Ministry of National Defence, Dz.U. MON from 2010 No. 14, item 183, art. 4.

¹²⁸ Ordinance No. 10 of the Commander-in-Chief of the State Fire Service of 25 September 2012 in the matter amending the ordinance on granting organizational regulations to the National Headquarters of the State Fire Service, Dz.U. KGSP from 2012, item 17, § 1.1.b.

¹²⁹ Ordinance of the Minister of Justice of July 22, 2015 regarding the creation of a Crisis Centre for the Minister of Justice, Dz.U. MS from 2015, item 178.

¹³⁰ Ordinance of the Minister of Agriculture and Rural Development No. 27 of 12 September 2014 on the system of permanent duties, available at <https://bip.minrol.gov.pl/content/download/45607/259921/version/1/file/Zarzadzenie%20nr%2027%20z%2012%20wrzesnia%202014.pdf> [access date: 02.01.2018].

¹³¹ The Ordinance of the Minister of the Environment of June 28, 2011 regarding the creation of the Crisis Centre for the Minister of the Environment, and The Ordinance of the Minister of the Environment of January 13, 2015 amending the ordinance on the creation of the Crisis Centre for the Minister of the Environment, Dz.U. MŚiGiOŚ from 2011, item 2.38.

the ministry and in foreign branches.”¹³² The Crisis Management Centre of the Minister of Health was created as the organizational unit of the Department of Crisis Management of the Department of Defence Affairs of Crisis Management, Medical Rescue and Protection of Classified Information of the Ministry of Health.¹³³ The tasks of the Crisis Centre of the Police Commander-in-Chief are carried out within the structure of the Main Police Staff of the Police Headquarters.¹³⁴ In the Headquarters of the Border Guard, the Staff of the Border Guard Commander in Chief serves as the crisis management centre.¹³⁵ The crisis management centre of the Internal Security Agency was placed in the complex of the operator-dispatcher rooms of the Main Headquarters of Head of the Internal Security Agency, to which only authorized persons have access.¹³⁶

The central level is supplemented by voivodeship, poviast and gmina crisis management structures. The crisis management act imposes requirements on the implementation of tasks to the aforementioned authorities, but does not specify the ways of internal organization of offices. It only forces the creation of appropriate ‘organizational units.’¹³⁷ In practice – as discussed in the next chapter – the regulations of offices in various ways fulfil the requirement. In addition, because the Act does not specify how crisis management centres are organized, their structures also take different forms. Therefore, it should be concluded that the normative place of the voivodeship, poviast and gmina level of crisis management in the crisis management structure should be derived due to the tasks they

¹³² *Ordinance of the Minister of Foreign Affairs No. 31 of 30 September 2015 on giving organizational regulations to the Ministry of Foreign Affairs*, Dz.U. MSZ from 2015, item 33, § 63.

¹³³ *Ordinance of the Minister of Health of November 9, 2015 regarding the creation of a Crisis Management Centre*, Dz.U. MZ from 2015, item 70, § 1.

¹³⁴ *Ordinance No. 1 of the Police Commander-in-Chief of January 30, 2017 on appointing the Crisis Management Team of the Police Commander-in-Chief and defining the organizational unit performing the tasks of the Crisis Centre of the Police Commander-in-Chief*, Dz.U. KGP from 2017, item 6, § 10.1.

¹³⁵ *Ordinance No. 51 of the Commander-in-Chief of the Border Guard of 17 April 2014 on the organizational regulations of the Staff of the Chief Commander of the Border Guard*, Dz.U. KGSG from 2014, item 114, § 1.6.

¹³⁶ M. Piotrak, *Rola i zadania szefa Agencji Bezpieczeństwa Wewnętrznego w zarządzaniu kryzysowym i ochronie infrastruktury krytycznej*, “Przegląd Bezpieczeństwa Wewnętrznego” 2016, No. 15(8), p. 81.

¹³⁷ *The Act on Crisis Management...*, op. cit., art. 6, 14, 19.3.

perform for the entire system, but not due to the statutory way of their internal organization.

It should be further clarified that the Act on Crisis Management has regulated and transformed already existing but dispersed civil protection structures. Crisis management teams have replaced previously functioning crisis response teams. A Voivode, mayor, president, starosta and voivode and ministers, carried out tasks with the help of respectively a gmina responsive team, a powiat crisis response team, a voivodeship crisis response team and the Government Crisis Coordination Team.¹³⁸ Similarly, the statutory change concerned voivodeship, powiat and gmina crisis management centres. They were created in place of teams and centres operating on the basis of the regulations of *the Council of Ministers of 3 December 2002 on the method of creating a gmina response team, powiat and voivodeship crisis response team and the Government Crisis Coordination Team and their functioning*.¹³⁹

The Act on Crisis Management regulates the subject scope of tasks for government administration in the voivodeship and local governments. In addition, it should be clarified that the obligations to national security – part of which is crisis management – also arise from other legal acts applicable to these authorities. In the same way, a natural continuation of the description of the crisis management structure in Poland is to present tasks imposed on its participants. For the completeness of the argument, central level tasks will also be discussed.

The tasks of the Government Management Team include: 1) preparing proposals for the use of means and sources necessary in the event of crisis situations; 2) advising in crisis situations in the matter of coordination of government administration bodies, state institutions and services; 3) issuing opinions on final reports on actions taken in connection with crisis management; 4) expressing opinions on the needs in terms of restoring the infrastructure or restoring its original character; 5) giving

¹³⁸ *The Act of 18 April 2002 on the state of natural disaster*, Dz.U. from 2002 No. 62, item 558, art. 12, section 1.

¹³⁹ *Regulation of the Council of Ministers of December 3, 2002 on the method of creating a gmina response team, powiat and voivodeship crisis response team and the Governmental Crisis Coordination Team and their functioning*, Dz.U. from 2002 No. 215, item 1818, with later changes.

opinions and submitting to the Council of Ministers of the National Crisis Management Plan.¹⁴⁰

The tasks of the Government Safety Centre include: 1) civil planning; 2) monitoring of threats; 3) preparation of launching procedures in the field of crisis management; 4) preparing documentation for the Crisis Management Team; 5) office support for the Team's work; 6) organizing and conducting training and exercises in the field of crisis management; 7) ensuring the flow of information in the crisis management system; 8) on-call duty as part of the state's defensive readiness; 9) performing tasks in the field of counteracting, preventing and eliminating the effects of terrorist events; 10) implementation of planning and programming tasks in the area of critical infrastructure protection.¹⁴¹

The scope of tasks performed by departmental crisis management centres includes: 1) maintenance of a 24-hour on-call duty in order to ensure the flow of information for the needs of crisis management; 2) cooperation with crisis management centres and entities carrying out environmental monitoring; 3) exercising supervision over the detection and alarm system as well as the system of early warning of the population; 4) co-participation in the activities of entities conducting rescue, search and humanitarian operations; 5) documenting the operations of the crisis management centre; 6) maintaining a permanent duty for the purpose of increasing the defence readiness of the state; 7) cooperation in the round-the-clock mode in the field of information and communication of orders to health care units in case of emergency, accidents as well as system disturbances at all levels of government administration.¹⁴²

It is worth paying attention to the tasks set for individual ministries. Their scope partially deviates from the content of the Act. For example, the Centre of the Ministry of Justice ensures exchange and flow of information about events that could cause crises situations, in the existing reporting system of the Government Centre for Security, and also monitors threats in the Ministry of Justice and organizational units reporting to the Minister of Justice or supervised such as: 1) organizational units of the Prison Service;

¹⁴⁰ *The Act on Crisis Management...*, op. cit., art. 9.1.

¹⁴¹ *Ibid.*, art. 11, section 2.

¹⁴² *Ibid.*, art. 13.1, section 2.

2) courts of general jurisdiction; 3) correctional facilities and shelters for minors; 4) prof. Dr Jan Sehn Institute of Forensic Experts in Krakow; 5) the Institute of Justice; 6) the National School of Judiciary and Prosecutor's Office. In the tasks of the Ministry, the scope of the crisis is clarified in an original way. It is also intended to mean: 1) mugging; 2) an active assault on a justice representative or a client; 3) the threat of placing an explosive charge or substances dangerous for health and life, dangerous postal items; 4) fire, catastrophe or natural disaster; 5) threats to critical infrastructure: hacking activities (cyberattacks) and power and telecommunications failures.¹⁴³ Doubts about the definition of a crisis situation may arouse: mugging and active assault on a public official. These are categories regulated by the Penal Code¹⁴⁴ and it seems that bringing them under control does not require the public administration to launch "additional means and sources."

At voivodeship level, the Voivode is the organ responsible for crisis management matters.¹⁴⁵ Voivode performs and coordinates tasks in the field of defence, but also the general security of the state. Relating to tasks – including anti-crisis tasks – is responsible for assessing the state of flood protection of the voivodeship, and develops a voivodeship operational plan for flood protection.¹⁴⁶ His responsibilities, among others, include: 1) monitoring, planning, reacting and removing the effects of threats in the voivodeship; 2) civil planning; 3) managing, organizing and conducting courses, exercises and trainings in the event of an emergency; 4) applying for the use of the Armed Forces of the Republic of Poland to perform tasks in the field of crisis management; 5) activities concerning operational planning in the voivodeship; 6) preventing and counteracting terrorist occurrences; 7) performing tasks in the area of critical infrastructure protection.¹⁴⁷

The unit responsible for the crisis management in the voivodeship office, under the act should: 1) collect and process data and shade the scale of threats occurring in the area of the voivodeship; 2) monitor and forecast the development of threats; 3) provide information services to

¹⁴³ *Ordinance of the Minister of Justice of 22 July 2015...*, op. cit., §4.1, 6.

¹⁴⁴ *The Act of June 6, 1997. Penal Code*, Dz.U. from 2017, item 2204, art. 223, 280.

¹⁴⁵ *The Act of 26 April 2007 on management*, op. cit., art. 14.1.

¹⁴⁶ *The Act of 23 January 2009 on the voivode...*, op. cit., art. 22, section 3, 4.

¹⁴⁷ *The Act of 26 April 2007 on management*, op. cit., art. 14, section 2.

the voivodeship crisis management team, crisis management team of the minister competent for internal affairs and the Government Centre for Security; 4) cooperate with poviats crisis management teams; 5) ensuring the functioning of the voivodeship crisis management team (including activities for documenting its work); 6) maintaining a permanent duty as part of the defence readiness of the state; 7) preparation and updating of the voivodeship crisis management plan; 8) development of Voivode's guidelines for poviats crisis management plans; 9) issuing opinions on poviats crisis management plans and submitting them for approval by the Voivode; 10) preparation of the voivodeship critical infrastructure protection plan and its update; 11) planning of providing assistance to other authorities competent in matters of crisis management; 12) planning the use of the Polish Armed Forces to perform tasks in the field of crisis management; 13) with supporting Armed Forces by the public administration bodies during the implementation of their tasks.¹⁴⁸

The voivodeship crisis management team is the auxiliary body of the Voivode, ensuring the performance of tasks in the field of crisis management. The tasks of this Team include: 1) assessing existing and potential threats that may affect public safety; 2) preparing proposals of activities and presenting the voivode with proposals regarding implementation, change or omission of measures included in the voivodeship crisis management plan; 3) public information on threats – also on the scale of air pollution¹⁴⁹; 4) issuing opinions on the voivodeship crisis management plan.¹⁵⁰

The tasks of the voivodeship crisis management centres include: 1) maintaining a 24-hour on-call duty to ensure the flow of information for the needs of crisis management; 2) cooperation with crisis management centres and units carrying out environmental monitoring; 3) exercising supervision over the functioning of the detection and alarm system as

¹⁴⁸ Ibid., art. 14, section 6.

¹⁴⁹ *The Act of 13 April 2012 about amending the act – Environmental protection law and some other acts*, Dz.U. from 2012, item 460, art. 1, point 9a. "In the event of a risk of an alarm, admissible or target substance being exceeded in a given zone in the air, the voivodeship crisis management team informs the competent authorities about the need to take action [...] The voivodeship crisis management team immediately informs the public about the risk of exceeding the alarm, admissible or target level of the substance in the air and about the occurrence of the alarm, admissible or target level exceeded."

¹⁵⁰ *The Act of 26 April 2007 on management*, op. cit., art. 14, section 7, 8.

well as the system of early warning of the population; 4) co-participation in the activities of entities carrying out rescue, search and humanitarian operations; 5) documenting activities undertaken by the centre; 6) maintaining a permanent duty for the purpose of increasing the defence readiness of the state.¹⁵¹

At poviát level, the authority responsible for crisis management matters is the staroste. Similarly as in the case of a voivode on a poviát is also responsible for flood protection, including the equipment and maintenance of the poviát flood protection warehouse, fire protection and prevention of other extraordinary threats to human life and health and the environment.¹⁵² The tasks performed by the staroste include, among others: 1) monitoring, planning, reacting and removing the effects of threats in the poviát; 2) planning; 3) managing, organizing and conducting courses, exercises and trainings in the field of responding to specific threats; 4) carrying out tasks resulting from the operational plan for the functioning of poviáts and cities with poviát status; 5) counteracting the effects of occurrences of terrorist character; as well as 6) carrying out projects in the area of critical infrastructure protection.¹⁵³ The legislator also imposed on the poviát the obligation to organize a communication system, alerting and cooperating between units participating in rescue operations in the poviát.¹⁵⁴ The staroste performs these tasks with the assistance of the poviát combined administration and organizational units of the poviát. At the same time, it should be remembered that the poviát combined administration consists of: Starosty of the poviát; poviát labour office; organizational units constituting an auxiliary apparatus for heads of poviát services, inspections and guards – that is, commands and inspectorates.¹⁵⁵

The poviát crisis management team which ensures the implementation of tasks in the field of crisis management is the auxiliary body of the staroste. It performs tasks in the poviát area anticipated for the voivodeship

¹⁵¹ Ibid., art. 16, section 2.

¹⁵² *The Act of 5 June 1998 on poviát self-government*, Dz.U. from 2017, item 1868, art. 14, section 1, point 15.

¹⁵³ *The Act of 26 April 2007 on management*, op. cit., art. 17, section 1.

¹⁵⁴ *The Act of 24 August 1991 on fire protection*, Dz.U. from 2017, item 736, 1169, art. 21b, section 4.

¹⁵⁵ *The Act of June 5, 1998 on self-government...*, op. cit., art. 33a, section 2, 33b.

crisis management team.¹⁵⁶ Poviats level is also required to establish crisis management centres. Their service was taken over by organizational units of heads of poviat services. This possibility was only introduced by the amendment of the 2009 Act on Crisis Management. The legislator stressed that the 24-hour on-call duty in the poviat starosty was an ineffective solution. There was an insufficient number of people employed in the units responsible for crisis management.¹⁵⁷ It should also be remembered that the scope of the centre's responsibilities corresponds to the tasks anticipated for voivodeship crisis management centres in the area of the poviat.¹⁵⁸

At the gmina level, the authorities responsible for crisis management matters are voits, mayors and city presidents. The tasks carried out by them in the field of crisis management include the tasks of the poviat implemented at the level of the gmina.¹⁵⁹ As in the case of higher levels of public administration, the gmina's own tasks include preventing floods and maintaining a gmina flood protection warehouse. Responsibility for maintaining public order is entrusted both to the voit, the mayor, the president and the gmina council.¹⁶⁰ Thus, the responsibility for security and crisis management in the gmina is not identical in the scope. These tasks, voits, mayors and presidents of cities carry out, with the help of organizational units of gminas (or cities) offices competent in matters of crisis management.

Gmina crisis management teams are the auxiliary bodies of voits, mayors and city presidents ensuring the implementation of crisis management tasks.¹⁶¹ They perform tasks included in the voivodeship crisis management team in the area of the gmina. The principle of subsidiarity of public administration bodies is manifested, for example, in the right to assembly. Gminas do not have to create crisis management centres. Organizers of gatherings, which will not cause obstructions in road traffic, notify the competent gmina crisis management centre of their intention to

¹⁵⁶ *The Act of 26 April 2007 on management*, op. cit., art. 17, section 5.

¹⁵⁷ *Rationale for the draft act amending the act...*, op. cit., p. 9.

¹⁵⁸ *Ibid.*, art. 18, section 1, point 2.

¹⁵⁹ *Ibid.*, art. 19, section 2.

¹⁶⁰ *The Act of 8 March 1990 on local self-government*, Dz.U. from 2017, item 1875, 2232, art. 7, section 1, items 14, 40, section 3.

¹⁶¹ *The Act of 26 April 2007 on management*, op. cit., art. 19, section 4.

organize them, and in the case when it was not created in a given gmina – the voivodeship crisis management centre.¹⁶²

It is worth emphasizing that, according to the explanations cited, the organizational units of the voivodeship office and the gmina office are responsible for performing the duties according to the defence readiness of the state. This is a requirement that exceeds the strictly understood crisis management framework. It has been linked to ensuring the external security of the state. “The tasks of the Council of Ministers performed within the framework of ensuring external security of the state and general management in the field of national defence include in particular: maintaining the state’s permanent defence, requesting the President of the Republic of Poland to increase the readiness in the event of an external threat of security and during the war and to lower it according to the reduction of the risk.”¹⁶³ In addition to the state of permanent defence readiness of the state and the state of the war, there is also a state – the state of defence readiness of the state in the time of crisis. It is introduced in time of peace, but the scope of the crisis goes beyond the framework of crisis situations, because it is connected with the external threat of the state.¹⁶⁴

2.2.1. THE NORMATIVE STRUCTURE OF CRISIS MANAGEMENT IN A BROADER SENSE

The structure of crisis management in a broader sense is formed by: bodies subordinate to or supervised by the Ministry of the Interior and Administration, i.e.: the Police Commander in Chief; Chief Commander of the Border Guard, Commander-in-Chief of the State Fire Service; Chief of National Civil Defence; Head of the Office for Foreigners; Director of the Retirement and Pension Institution of the Ministry of the Interior.¹⁶⁵ Authorities mentioned in *the Regulation of the Council of Ministers of 2009*:

¹⁶² *The Act of 24 July 2015 Law on Assemblies*, Dz.U. from 2015, item 1485, art. 33.

¹⁶³ *The Act of 21 April 1967 on the general defence of the Republic of Poland obligation*, Dz.U. from 2017, item 1430, 2217, art. 6, section 1, point 4.

¹⁶⁴ *Regulation of the Council of Ministers of September 21, 2004 on the defence readiness of the state*, Dz.U. from 2004, item 2217, 2218, §2.1, 4.1.

¹⁶⁵ *Regulation of the Prime Minister of 9 December 2015 amending the regulation on the detailed scope of activity of the Minister of Interior and Administration*, Dz.U. from 2015, item 2808.

1) Minister of National Defence; 2) Minister of Justice; 3) the minister competent for agriculture; 4) the minister responsible for environmental affairs; 5) minister competent for foreign affairs; 6) minister competent for health matters; 7) Chief Commandant of the State Fire Service; 8) Chief Police Commander; 9) Chief Commander of the Border Guard; 10) Head of the Internal Security Agency; 11) Head of the Foreign Intelligence Agency; 12) Head of the Military Counter-Intelligence Service; 13) Head of the Military Intelligence Service¹⁶⁶ as well as the bodies of combined and non-combined government administration in the voivodeship. The non-combined administration includes: 1) heads of provincial military staffs and commanders of Military Replenishment Councils; 2) directors of tax administration chambers, heads of tax offices and heads of customs and tax offices; 3) directors of district mining offices and director of the Specialist Mining Office; 4) directors of regional measurement offices; 5) directors of district assay offices; 6) directors of maritime offices; 7) directors of statistical offices; 8) directors of inland waterway offices; 9) border and poviats veterinarians; 10) commandants of the Border Guard, commandants of Border Guard units and squadrons; 11) district inspectors of sea fishing; 12) state border sanitary inspectors; 13) regional directors of environmental protection¹⁶⁷; and in accordance with the law on crisis management, the branches of the Polish Armed Forces.¹⁶⁸

The description of the institutions itemized in the catalogue will be narrowed. The director of the Pension Centre of the Ministry of the Interior is the head of the Pension Office of the Ministry of Interior and Administration. The institution responsible for the insurance of officers of uniformed services, the Police, the State Fire Service, officers of the prison service, border guards and others.¹⁶⁹ The tasks of the Head of the Office for Foreigners are largely disjointed with the responsibilities of other authorities in dealing with the crisis situation. This person is mainly responsible for the

¹⁶⁶ *The Regulation of the Council of Ministers of 15 December 2009 determining which government authorities shall establish emergency management centres...*, op. cit.

¹⁶⁷ *The Act of 23 January 2009 on the voivode...*, op. cit., art. 56.

¹⁶⁸ *The Act of 26 April 2007 on management*, op. cit., art. 25, point 2.

¹⁶⁹ *The Act of 18 February 1994 on the retirement provision of Police officers, Office for State Protection, Border Guard, State Fire Service and Prison Service and their families*, Dz.U. from 1994, item 214.

legal protection of refugees in the territory of the Republic of Poland.¹⁷⁰ This person's actions are connected with the security of the country protection through the obligation to refuse foreigners to enter the territory of the country in case when "it is required by national defence or security reasons or the protection of public safety and order."¹⁷¹ District inspectors of sea fishing also have their own (however trimmed – because mainly reserved for the Ministry) tasks. Their participation in crisis management tasks should be connected with protection against infectious diseases among marine flora and fauna.¹⁷² Similarly, the narrow scope of duties concerns customs and tax services. In the crisis management system, the service function is mainly aimed at controlling the transboundary movement of potential carriers of epidemiological or radiation contamination.¹⁷³ The legislator did not foresee tasks within the management system for: tax administration chambers and tax offices; statistical offices and offices of measurement and assay offices. In turn, the tasks of the bodies listed in *the Regulation of the Council of Ministers of 2009* boil down to establishing crisis management centres. For this reason, they have already been characterized as an element supporting the 24-hour flow of information in the system – but not institutions supporting public administration in a narrower sense. The bodies of combined government administration in the voivodeship are defined in the statutes of voivodeship offices. Thus, the indication of their scope requires the analysis of the practice of offices – which is the subject of the next chapter. The remaining scope of the institutions boils down to normative acts which concern the activities of: the Police, Border Guard, Fire Brigade¹⁷⁴, Polish Armed Forces (including voivodeship military staffs and

¹⁷⁰ *The Act of December 12, 2013 on foreigners*, Dz.U. from 2017, item 2206, 2282, art. 16.1. The Head of the Office for Foreigners "is the central body of government administration competent in matters: 1) entry of foreigners into the territory of the Republic of Poland, transit through this territory, staying within it and leaving it; 2) granting the refugee status; 3) granting subsidiary protection; 4) consent to stay for humanitarian reasons or consent for tolerated stay; 5) granting asylum to foreigners; 6) granting temporary protection."

¹⁷¹ *The Act of December 12, 2013 on foreigners*, op. cit., art. 28, section 10.

¹⁷² *The Act of 19 December 2014 on sea fishing*, Dz.U. from 2017, item 60, 1273.

¹⁷³ *The Act of November 16, 2016 on the National Revenue Administration*, Dz.U. from 2016, item 1947, art. 54, section 11.

¹⁷⁴ I do not distinguish the Chief of National Civil Defence, because this function is performed by the Chief Commander of the State Fire Service. Tasks in the field of civil defence were

military replenishment councils), mining supervision authorities, directors of district mining offices, veterinary surgeons, Sanitary Inspectorates.¹⁷⁵

The State Fire Service is a professional, uniformed and equipped with specialized equipment formation, designed to fight fires, natural disasters and other local threats.¹⁷⁶ *Other local threats* mean “events resulting from the development of civilization and natural laws of nature that are not a fire or natural disaster, posing a threat to life, health, property or environment, which prevention or removal of their effects does not require extraordinary measures.”¹⁷⁷ Such a broad definition of threats predisposes the State Fire Service in a natural way to actions in the field of crisis management. It covers all natural and anthropogenic hazards – so it means all including crisis situations. The conclusion is also confirmed by the subordinate scope of the definition of crisis management to the concept of fire protection. Fire protection – according to the Act – “involves the implementation of measures to protect life, health, property or the environment against fire, natural disaster or other local threat.”¹⁷⁸ Crisis situation is a threat to people, their property and the environment related to inadequate level of public administration means and sources.¹⁷⁹ Therefore, the crisis situation should be considered as a concept falling into the category of “other local threats.”

In view of the above, it would seem reasonable to assign responsibility for crisis management to the State Fire Service. However, this would be an erroneous conclusion, because the difference between participants in crisis management lies not in their definition, but in the functions fulfilled for the crisis management system. The basic tasks of the State

formulated in Section IV *The Act of April 21, 1967 on the general obligation to defend the Republic of Poland...*, op. cit. and in *The Regulation of the Council of Ministers of 25 June 2002 on the detailed scope of action of the Head of Civil Defence of the Country, heads of civil defence of voivodeships, poviats and gminas*, Dz.U. from 2002 No. 96, item 850.

¹⁷⁵ I set this category more broadly than indicated by the catalogue of the non-combined administration in the voivodeship. Voivodeship and poviats Inspectorates are part of the combined administration.

¹⁷⁶ *The Act of 24 August 1991 on the State Fire Service*, Dz.U. from 2017, item 1204, 1321, 1567, art. 1, section 1.

¹⁷⁷ *The Act of 24 August 1991 on fire protection*, Dz.U. from 2017, item 736, 1169, art. 2, section 3.

¹⁷⁸ *Ibid.*, art. 1.

¹⁷⁹ *The Act of 26 April 2007 on management*, op. cit., art. 3.

Fire Service, which concern crisis management, include: 1) identification of fire hazards and other local threats; 2) organizing and conducting rescue operations during fires, natural disasters or elimination of local threats; 3) performing auxiliary specialist rescue operations during natural disasters or elimination of local threats by other emergency services; 4) supervision over compliance with fire regulations.¹⁸⁰ One may attempt to state that while crisis management centres are responsible for planning activities and 24-hour information flow in the system, teams for giving opinions activities, executive bodies for launching budgetary tools, the State Fire Service bears the burden of carrying out rescue operations during threats, especially taking into account the importance of the entitlements of the people heading the rescue operation. The manager can order the evacuation of persons and property, taking over property and also abandoning the rules recognized as safe – with the conditions specified in the regulation.¹⁸¹ The statement concerns both the Main Headquarters of the State Fire Service and voivodeship headquarters as well as powiat (municipal) headquarters – organizational units of the State Fire Service, as well as other fire protection units participating in the crisis management system.¹⁸²

In addition to the State Fire Service, the Act lists the following units responsible for fire protection: 1) organizational units of Military Fire Protection; 2) company fire brigade; 3) company emergency service; 4) gmina professional fire brigade; 5) powiat (municipal) professional fire brigade; 6) field emergency service; 7) volunteer fire brigade; 8) association of volunteer fire brigades; 9) other rescue units.¹⁸³ Units 2–6 are created on the basis of orders of the Minister for Home Affairs or with his consent by other ministers, voivodes, and bodies of local government units. Forming organs determine the rules of the fire service.¹⁸⁴ The volunteer fire brigade

¹⁸⁰ *The Act of 24 August 1991 on the State Fire Service...*, op. cit., art. 1, section 2.

¹⁸¹ *Regulation of the Council of Ministers of July 4, 1992 in the field of scope and procedure for exercising the rights of the head of the rescue operation*, Dz.U. from 1992, item 259.

¹⁸² *The Act of 24 August 1991 on the State Fire Service...*, op. cit., art. 8, section 1.

¹⁸³ *The Act of 24 August 1991 on environmental protection...*, op. cit., art. 15.

¹⁸⁴ *Ibid.*, art. 17, 18.

and the volunteer fire brigade association operate based on the provisions of the Act – Association Law.¹⁸⁵

On the basis of the act on fire protection, the National Fire and Rescue System was created. The system gathers fire protection units, other services, inspections, guards, institutions and entities that voluntarily agreed under a civil law agreement to cooperate in rescue operations. The national rescue and fire-fighting system is aimed at protecting life, health, property or the environment – thus it concerns tasks in the field of crisis management – through: 1) fighting with fires or other natural disasters; 2) technical rescue; 3) chemical rescue; 4) ecological rescue; 5) emergency medical services; 6) cooperation with units of the State Emergency Medical Services system.¹⁸⁶

Another entity in the crisis management structure is the Police – a uniformed and armed formation whose aim is to protect people's safety and to maintain public safety and order.¹⁸⁷ The police tasks differ fundamentally from the tasks of the fire brigade. While the fire service is responsible for conducting the action – combating threats – the police are responsible for safeguarding activities – maintaining public safety and order. Comparing the tasks of the police with the scope of requirements imposed by *The Act on crisis management* on public administration, one can list the catalogue of duties of formation in relation to the crisis situation. The police should ensure protection of life and health of people and property against unlawful violation. Its task is to ensure peace and public order in places of assembly, in the means of public transport, in road traffic and in waters intended for public use. It should take measures to counteract criminogenic phenomena, including conducting counterterrorism activities. It conducts control over adherence to administrative and order-related regulations connected with public activity.¹⁸⁸ The Chief Commander of the Police specified in detail the tasks of formation in the event of selected crisis situations.¹⁸⁹

¹⁸⁵ Ibid., art. 19, section 1.

¹⁸⁶ Ibid., art. 2, section 4, art. 14, section 1.

¹⁸⁷ *The Act of 6 April 1990 on the Police*, Dz.U. from 2017, item 2067, art. 1.

¹⁸⁸ M. Elszkowski, *Działalność Policji w sytuacjach kryzysowych. Podejście formalne*, "Zeszyty Naukowe SGSP" 2017, No. 61, Vol. 2, p. 97.

¹⁸⁹ *Ordinance of the Chief Police Commander of December 31, 2004 on the introduction of emergency response procedures in the Police*, Dz.Urz. KGP from 2005, item 8.

The central governing body that fulfils the statutory scope of duties is the Chief Commander of the Police, who reports to the minister for home affairs. Territorial authorities responsible for safety and public order are: voivode with the help of the voivodeship commander of the Police acting on his behalf or the voivodeship commander of the Police acting on his own behalf in the area of voivodeship, powiat (municipal) commander of the Police and commander of the police station.¹⁹⁰ Police commanders have a statutory obligation to submit annual reports on their activities, as well as information on the state of order and public safety to voivodes, starostes, voits (mayors or city presidents), as well as county councils and gmina councils. They meet this obligation on demand in case of public order threat. This is a requirement that creates an integrated crisis management system. Based on the information obtained, the powiat, gmina council, or executive bodies can take appropriate resolutions and orders.¹⁹¹

The Border Guard is a homogenous, uniformed and armed formation intended for protection of the state border, border traffic control and prevention and counteracting illegal migration.¹⁹² Its statutory tasks in relation to crisis management are mainly related to the reduction of threats crossing the state border. The statutory task catalogue should specify: recognition and analysis of migration threats related to both crime and illegal migration.¹⁹³ The legislator also provided for the Guard for tasks in the field of detection of radioactive substances.¹⁹⁴ The Act imposes an obligation on the Guard to recognize, prevent and detect crimes, offenses and prosecutions of perpetrators in the scope of the Border Guard's jurisdiction.¹⁹⁵ Analysing threats means, among others particularly important to crisis management, the issue of recognizing infectious diseases. These type of activities the Border Guard base on the guidelines of the Minister of Health.¹⁹⁶ It is also

¹⁹⁰ *The Act of 6 April 1990 on the Police*, Dz.U. from 2017, item 2067, art. 5, section 1, 6, section 1.

¹⁹¹ *Ibid.*, art. 10.

¹⁹² *The Act of October 12, 1990 on the Border Guard*, Dz.U. from 2017, item 2365, art. 1.

¹⁹³ *Ibid.*, art. 2.

¹⁹⁴ *The Act of November 29, 2000 on Atomic Energy*, Dz.U. from 2017, item 576, 935, art. 86a.

¹⁹⁵ *The Act of October 12, 1990 on the Border Guard*, op. cit., art. 2.

¹⁹⁶ *Regulation of the Minister of Health of 17 September 2015 on communicable diseases, the diagnosis or suspicion of which may constitute the grounds for refusal of entry of a foreigner into the territory of the republic of Poland*, Dz.U. from 2015, item 1501, and also *Regulation of the Minister of Health of 15 January 2013 on cooperation between the authorities of the State*

worth noting that in fulfilling duties it should also take into account threats from and among animals.¹⁹⁷ In this context, it is also worth characterizing the activities of border veterinary inspections, which together with poviats inspections were included in the non-combined government administration in the voivodeship. Border inspection units were created by the Chief Veterinary Officer in Bezledy, Dorohusk, Gdynia, Hrebenne, Korczowa, Koroszczyn, Kuźnica Białostocka, Szczecin, Świnoujście and Warszawa.¹⁹⁸ At their head there is a border veterinary surgeon (similarly in a poviat, the office is managed by a poviat veterinary surgeon). The tasks of border inspection include, in particular, veterinary protection of public health at border crossings.¹⁹⁹

The Act on Crisis Management introduced the possibility of using the armed forces of the Republic of Poland for the purpose of crisis management. The mode of launching military units, initiates the voivode after submitting an application to the Minister of National Defence. Under the act, however, there must be reasonable grounds for sending the units to the crisis area. It is the lack of possibility of using other means and sources or insufficient resources to control the crisis situation.²⁰⁰ Therefore, it is not about *the insufficiency of means and sources of public administration*, because they are a condition *sine qua non* of a crisis situation.²⁰¹ The participation of the armed forces of the Republic of Poland is justified in the situation of the inability to contain the crisis situation by already cooperation forces of the public administration of services and inspections. The participation of the army is so to speak the “last resort.” This is also evidenced by the statutory tasks of the Armed Forces whose use is to serve: combating

Sanitary Inspection, Veterinary Inspection and Inspection of Environmental Protection in the fight against infections and infectious diseases that can be transmitted from animals to humans or from humans to animals, Dz.U. from 2013, item 160.

¹⁹⁷ *Announcement of the Minister of Agriculture and Rural Development of March 10, 2015 regarding the publication of a uniform text of the regulation of the Minister of Agriculture and Rural Development on the list of contagious animal diseases for which plans for eradication preparedness are drawn up, Dz.U. from 2015, item 440.*

¹⁹⁸ *The Act of 29 January 2004 on the Veterinary Inspection, Dz.U. from 2004 No. 33, item 287, art. 40, section 1.*

¹⁹⁹ *Ibid.*, art. 18, section 1.

²⁰⁰ *The Act of 26 April 2007 on management, op. cit.*, art. 25.

²⁰¹ *Ibid.*, art. 3.

natural disasters and elimination of their consequences, conducting anti-terrorist activities and property protection, cleaning off areas of explosive and dangerous materials of military origin and their neutralization, as well as performing tasks in the field of crisis management.²⁰² As well as conducting search and rescue actions or protecting human health and life in cooperation with the units of the State Medical Rescue system.²⁰³ Therefore, it should be stated that in the matter of internal security, the legislator reserved the most serious challenge for the armed forces. As for *strictly* crisis management activities, in addition to supporting the services and administration in the monitoring of threats, it is necessary to mention: performing search and rescue tasks; carrying out the evacuation of the injured population and property; preparation of conditions for temporary accommodation of the evacuated population in designated places; carrying out works requiring the use of specialized technical equipment or explosives; removal of hazardous materials and their disposal; elimination of chemical contamination and biological contamination and infections; removal of radioactive contamination; providing medical assistance and performing sanitary-hygienic and anti-epidemic tasks.²⁰⁴

The Act on General Defence Requirement regulates tasks at individual levels of command of armed forces. The Commander-in-Chief who commands military units and organizational unions of the Polish Armed Forces²⁰⁵ is tasked with conducting the training of personnel reserves for use in a crisis situation. In turn during a crisis situation, the Operational Commander is obliged to protect the state border in the airspace of the Republic of Poland.²⁰⁶ The tasks of the Head of the Armed Forces Support Inspectorate include tasks in the field of crisis management, in particular

²⁰² *The Act of November 21, 1967 on the general defence of the Republic of Poland obligation*, Dz.U. from 2017, item 1430, 2217, art. 3, section 2.

²⁰³ *The Act of 8 September 2006 on State Emergency Medical Services*, Dz.U. from 2017, item 2195, art. 15.

²⁰⁴ The full catalogue of tasks is included in art. 25, section 3 of *The Act of 26 April 2007 on management*, op. cit.

²⁰⁵ Excluding units and associations: 1) directly subordinate to the Minister of National Defence or other authorities or entities; 2) subordinate to the Operational Commander; 3) subordinate to the Commander of the Territorial Defence. *The Act of November 21, 1967 on the general defence of the Republic of Poland obligation*, op. cit., art. 11a, section 1.

²⁰⁶ *Ibid.*, art. 11b, section 1.

regarding: liquidation of their consequences, property protection, conducting search operations and rescue or protection of human health and life, as well as in cleaning up areas from explosives.²⁰⁷ The commanders of Military Replenishment Councils are responsible for the implementation of tasks in the field of crisis management within the territorial scope of the operation of military replenishment councils. Thus, it issues vocations to military manoeuvres that can take place in order to implement tasks in the field of crisis management.²⁰⁸ They may refer to immediate presence as well as periodic military service.²⁰⁹

The amendment to the Act on general defence duty of 2016 created units of Territorial Defence²¹⁰ as one of the five types of the Polish Armed Forces.²¹¹ At the same time, it obliged the Commander of the Territorial Defence Forces to ensure the effective participation of individuals in the fight against natural disasters and the elimination of their consequences, property protection, conducting search operations and rescue and protection of human health and life, and participation in the implementation of crisis management tasks.²¹² The legislator also stipulated that in the event of a crisis situation, the call of soldiers performing territorial military service may take place by means of an immediate presence.²¹³

It should also be noted that the involvement of the Armed Forces of the Republic of Poland in combating the effects of a crisis situation can take place based on the provisions of the *Police Act* and the *State Fire Service*. In the event of a general threat to life, health or liberty of citizens, as well as the danger to property in large proportions²¹⁴, of terrorist threats “if the use of Police units or subunits turns out to be insufficient, units and subunits of the Armed Forces of the Republic of Poland may be used to help the Police

²⁰⁷ Ibid., art. 13c, section 2, point 8.

²⁰⁸ Ibid., art. 60, section 8.

²⁰⁹ Ibid., art. 108.

²¹⁰ *The Act of November 16, 2016 amending the Act on the Universal Defence of the Republic of Poland and certain other acts*, Dz.U. from 2016, item 2138, art. 1.

²¹¹ *The Act of November 21, 1967 on general obligation...*, op. cit., art. 3, section 3.

²¹² *The Act of 16 November 2016 amending the act...*, op. cit., art. 1, section 3.

²¹³ *The Act of November 21, 1967 on general obligation...*, op. cit., art. 60, section 8aa.

²¹⁴ The wording of a regulation, on the basis of similarity, can be linked to the definition of a crisis situation: situation “affecting negatively the level of security of people, property in large proportions.” *The Act of 26 April 2007 on management*, op. cit., art. 3.

units and subunits.”²¹⁵ Pursuant to the ordinance of the Minister of National Defence – an executive document for art. 3 of the Act on the State Fire Service – the Armed Forces of the Republic of Poland may support the State Fire Service in carrying out rescue operations, as well as in counteracting other local threats outside the area managed by the army.²¹⁶

At the present moment, a description of the uncharacterized organs of the not-combined government administration in the voivodeship should be provided. The first of the distinguished institutions are district mining offices, the director of which is the mining supervision authority.²¹⁷ The control over the activities of offices is exercised by the President of the Higher Mining Office²¹⁸ due to the fact that: “the heads of central offices carry out, in accordance with the scope of their competence, tasks related to crisis management”²¹⁹ – the President of the State Mining Authority is also an element of the crisis management structure. Pursuant to the Act, the President appoints committees to issue opinions on the state of general security and, among others, “the state of reconnaissance and combating hazards in mining plants, and may set up other permanent or temporary collegiate advisory and consultative bodies, specifying their name, composition, scope of tasks, operation mode and the method of service.”²²⁰ Taking advantages *de facto* of such rights, the President set up a *Crisis Management Team at the Higher Mining Office*.²²¹ In addition, the President issues regulations to district mining offices to ensure the correct implementation of the tasks of offices, including in the field of crisis management. Pursuant to the Act, mining supervision authorities exercise control over the mining plant operations, in the area, among others, of:

²¹⁵ *The Act of 6 April 1990 on the Police*, Dz.U. from 2017, item 2067, art. 18.

²¹⁶ *The Act of August 24, 1991 on the State...*, op. cit., art. 3, and *Regulation of the Minister of National Defence of August 24, 1992 on the rules and procedure for performing tasks by Military Fire Protection*, Dz.U. from 1992 No. 66 item 334, art. 1, section 2.

²¹⁷ *The Act of 9 June 2011. Geological and mining law*, Dz.U. from 2017, item 2126, art. 164.

²¹⁸ *Ibid.*, art. 161, section 1.

²¹⁹ *The Act of 26 April 2007 on management*, op. cit., art. 12.

²²⁰ *The Act of June 9, 2011. Geological Law...*, op. cit., art. 161, section 2.

²²¹ *Announcement of the President of the State Mining Authority of 10 April 2015 regarding the publication of a uniform text of the ordinance of the President of the State Mining Authority regarding the creation of a Crisis Management Team at the State Mining Authority*, Dz.Urz. WUG from 2015, item 36.

1) health and safety; 2) fire safety; 3) mining rescue; 4) environmental protection and deposit management.²²² As part of these duties, the director of the regional office is obliged to appoint an employee responsible for the implementation of the director's tasks in the field of crisis management.²²³

The directors of maritime offices are the local bodies of maritime administration, which are directly subordinated to the minister for maritime economy.²²⁴ The territorial scope of activities of individual offices has been regulated by an executive act to the Act.²²⁵ Directors are responsible, among others, for maintaining the safety of shipping and saving life and "protecting seaports and sea shipping, including those related to the performance of defence tasks and non-military tasks, in particular, preventing terrorist attacks and eliminating the effects of their occurrences."²²⁶ The exclusion from the crisis state of martial law²²⁷ indicates the intersection of the meanings of non-military and crisis threats. The statement confirms, among others the duty of directors of maritime offices to prepare flood threat maps and flood risk maps, including marine internal waters²²⁸, as well as the need to conduct fire monitoring in Polish maritime areas and sea ports and harbours.²²⁹ The director is also responsible for protecting the marine environment from pollution due to the sea usage. In particular, it supervises and controls the movement of ships with dangerous goods and the collection of waste from ships²³⁰. It is authorized to inspect a ship which pose a reasonable suspicion of serious danger to "shipping or safety at sea,

²²² *The Act of 9 June 2011. Geological and mining law*, Dz.U. from 2017, item 2126, art. 168, section 1.

²²³ *Ordinance No. 21 of the President of the State Mining Authority regarding the organizational regulations of district mining offices and the Specialist Mining Office*, Dz.Urz. WUG from 2015, item 32, § 9, item 5.

²²⁴ *The Act of 21 March 1991 on the maritime areas of the Republic of Poland and maritime administration*, Dz.U. from 2017, item 2205, art. 38, section 1.

²²⁵ *Regulation of the Minister of Transport and Maritime Economy of 7 October 1991 on the establishment of maritime offices, determination of their headquarters and the territorial scope of activity of directors of maritime offices*, Dz.U. from 1991 No. 98, item 438.

²²⁶ *The Act of 21 March 1991 on Marine Areas...*, op. cit., art. 42, section 1, point 2.

²²⁷ *Judgment of the Constitutional Tribunal of April 21, 2009*, op. cit., p. 6.

²²⁸ *The Act of 20 July 201. Water Law*, Dz.U. from 2017, item 1566, 2180, art. 171, section 2.

²²⁹ *The Act of 21 March 1991 on Marine Areas...*, art. 42, section 1, points 5, 9.

²³⁰ *Act of 16 March 1995 on the prevention of marine pollution by ships*, Dz.U. from 2017, item 2000, art. 10a, section 1.

human safety or the marine environment.”²³¹ Marine Offices carry out their tasks in cooperation with the Navy and the Border Guard.²³² Especially in the case of threats due to sunk chemical warfare resources.²³³

The authorities of the inland waterway administration are: the minister competent for inland waterway transport, i.e. the supreme body and the directors of inland navigation offices, who create the structure of local authorities.²³⁴ The Director of Inland Navigation Office is responsible for “cooperation with other authorities in the field of safety of navigation, environmental protection, port or harbour protection, including the performance of defence tasks and non-military tasks, in particular the prevention of acts of terror.”²³⁵ It also has an obligation to counteract contamination of inland waters. Thus, the statutory scope of the Director’s tasks in crisis situations includes: admission of the ship to the transport of some dangerous goods, including transportation of gases and chemicals.²³⁶

The State Sanitary Inspection as a public administration body reports to the minister competent for health matters.²³⁷ It is managed by the Chief Sanitary Inspector who performs his tasks with the help of the Chief Sanitary Inspectorate.²³⁸ The tasks of the State Sanitary Inspection, in addition to the Main Sanitary Inspector, are also carried out by: the state voivodeship sanitary inspector, which is the organ of the governmental combined administration in the voivodeship; the state poviats sanitary inspector – an element of governmental combined administration in a poviats; a state border sanitary inspector for road, rail, air, river and sea

²³¹ *The Act of 18 August 2011 on maritime safety*, Dz.U. from 2017, item 32, 60, 785, art. 90, section 3.

²³² *Regulation of the Minister of Transport and Maritime Economy of August 20, 1999 on the cooperation of maritime offices with the Navy and the Border Guard*, Dz.U. from 1999 No. 75, item 850, art. 1.

²³³ *Regulation of the Council of Ministers of 8 August 2017 on the organization of combating threats and pollution at sea*, Dz.U. from 2017, item 1631, § 1, section 2.

²³⁴ *The Act of 21 December 2000 on inland navigation*, Dz.U. from 2017, item 2128, art. 6, section 1.

²³⁵ *The Act of 19 August 2011 on the transport of dangerous goods*, Dz.U. from 2011 No. 227, item 1367, art. 9, section 3.

²³⁶ *Ibid.*, art. 9, section 3.

²³⁷ *The Act of 14 March 1985 on the State Sanitary Inspection*, op. cit., item 1261, 2111, art. 7, section 1.

²³⁸ *Regulation of the Minister of Health of July 29, 2010 on the issue of granting the statute to the Chief Sanitary Inspectorate*, Dz.U. from 2010 No. 139, item 939, § 1.

border crossing points, airports and seaports as well as vessels operating in the territorial waters.²³⁹ In the areas of units subordinated to the Minister of National Defence and in the tasks defined by law, the tasks of the State Sanitary Inspection are carried out by the organs of the Military Sanitary Inspection.²⁴⁰ The tasks of the state sanitary inspection in the field of crisis management are primarily related to counteracting epidemiological threats. They may also concern infectious diseases – among people, animals and plants – and radiation contamination, though. The legislator explicitly stated that it is the organs of the State Sanitary Inspectorate²⁴¹ that are responsible for preventing and combating “contagious infections and diseases, recognizing and monitoring the epidemiological situation and ensuring the system of early notification of the epidemic threat in the country.”²⁴² The inspection is required to keep a register of infections and diseases and deaths from an infectious disease, also to cooperate with the European Union Member States, the European Commission and the European Centre for Disease Prevention and Control within the framework of the community network of epidemiological surveillance and control of infectious diseases.²⁴³ Among the tasks of the Inspection, it is also worth distinguishing the obligation to carry out analyses and epidemiological assessments; development of preventive and anti-epidemic prevention programs and plans; planning and organizing sanitary security of state borders; sanitary supervision of passenger and cargo traffic; managing the sanitary action with mass movements, assemblies and gatherings.²⁴⁴

The Chief Sanitary Inspector in cooperation with the Chief Veterinary Inspector takes action to prevent infectious animal diseases. In this it coordinates the control of food products of animal origin and decides whether to withdraw them from the market. It conducts epidemiological surveillance of outbreaks of zoonotic diseases transmitted by food. He gives

²³⁹ *The Act of 14 March 1985 on the State Inspection...*, op. cit., art. 10, section 1.

²⁴⁰ *Ibid.*, art. 20a, section 1.

²⁴¹ Also: Military Sanitary Inspection, State Sanitary Inspection of the Ministry of Interior and Administration, Veterinary Inspection, Military Veterinary Inspection, Inspection of Environmental Protection and reference centres and research institutes.

²⁴² *The Act of 5 December 2008 on preventing and combating infections and infectious diseases in humans*, Dz.U. from 2016, item 1866, 2003, 2173, art. 24, section 1.

²⁴³ *Ibid.*, art. 25, section 1 and 30, section 1.

²⁴⁴ *The Act of 14 March 1985 on the State Inspection...*, op. cit., art. 5.

opinions on the location of burying places of animals killed as a result of infectious diseases, participates in the development of a project of program for monitoring zoonoses or zoonotic agents.²⁴⁵

In consultation with the Chief Inspector of Environmental Protection and the President of the National Atomic Energy Agency, the State Sanitary Inspection performs measurements of radioisotope content in samples of surface water, drinking water, milk and other food products in the places indicated.²⁴⁶ The Voivodeship Sanitary Inspector is responsible for identifying the radiation situation and reacting in the event of radiation incidents.²⁴⁷

Regional directors of environmental protection, being part of the non-combined administration alongside the General Director for Environmental Protection as well as voits, mayors or city presidents; starostes; voivodeship Sejmiks; voivodeship marshals; voivodes; the minister responsible for environmental affairs, according to the act, are the environmental protection authorities.²⁴⁸ The directors are mainly responsible for issuing opinions and assessing the environmental impact of projects that may cause chemical contamination. In particular, they are responsible for the supervision of waste management.²⁴⁹ Thus, they have significantly smaller responsibilities in the field of crisis management than environmental protection inspectors. However, it should be clarified that the Inspectorates for Environmental Protection, for which the legislator reserved the responsibilities in the field

²⁴⁵ *The Act of 11 March 2004 on the protection of animal health and combating infectious animal diseases*, Dz.U. from 2017, item 1855, art. 52 and *Regulation of the Minister of Health of 15 January 2013 on cooperation between the authorities of the State Sanitary Inspection, the Veterinary Inspection and the Inspectorate for Environmental Protection in the fight against infections and infectious diseases that can be transmitted from animals to humans or from humans to animals*, op. cit., § 7.

²⁴⁶ *The Regulation of the Council of Ministers of December 17, 2002 on the station for the early detection of radioactive contamination and facilities conducting measurements of radioactive contamination*, Dz.U. from 2002 No. 239, item 2030, § 8, 9.

²⁴⁷ *The Act of 29 November 2000. Atomic Energy Law...*, op. cit., art. 63, section 2.

²⁴⁸ *The Act of 27 April 2001. Environmental protection law*, Dz.U. from 2018, item 9, art. 376.

²⁴⁹ *The Act of July 20, 1991 on the Inspection of Environmental Protection*, Dz.U. from 2016, item 1688; Dz.U. from 2017, item 1566, 1567, art. 3.

of crisis management²⁵⁰ (as did for the General Director for Environmental Protection) – are part of the government combined administration in the voivodeship.²⁵¹ Environmental Protection Inspectors are obliged to cooperate with the State Sanitary Inspection in the area of combating infections and infectious diseases, which may be transferred from animals to humans or from humans to animals.²⁵² They are also responsible for monitoring the epidemiological situation and providing an early warning system on the epidemic threat.²⁵³ The Inspectorate for Environmental Protection is responsible for carrying out analyses and assessments of the environment condition; research into the causes and ways of removing the effects of major environmental accidents; initiating activities creating conditions for the prevention of major accidents; keeping a register of plants with an increased and high risk of accidents and chemical contamination.²⁵⁴

2.3. NORMATIVE ASPECTS OF CRISIS MANAGEMENT FINANCING

The basic act regulating the issues of crisis management financing in Poland is *The Crisis Management Act of 26 April 2007*. The legislator listed in it sources of financing tasks reserved for the bodies mentioned in the document. Basically, they boil down to two possibilities of covering expenses, i.e. from the state budget or from the budget of local self-governments. However, it should be stipulated that “the financing for the carrying out of crisis management related own tasks at the gmina, powiat and voivodeship levels shall be planned within the framework of the budgets of gminas, poviats and local governments of voivodeships, respectively”²⁵⁵ and financing of crisis management tasks at the national level is planned within the state budget in parts which are at the disposal of the voivodes, the minister competent for internal affairs and other

²⁵⁰ Pursuant to the Act, “Voivodeship Inspector for Environmental Protection notifies voivodeship crisis management team about exceeding the levels obliging to take actions specified in the plans of short-term actions.” Ibid., art. 94, section 1c.

²⁵¹ *The Act of July 20, 1991 on the Inspection of Environmental Protection*, op. cit.

²⁵² *The Act of December 5, 2008 on preventing and combating infections...*, op. cit., art. 24, section 4.

²⁵³ Ibid., art. 24, section 1.

²⁵⁴ *The Act of July 20, 1991 on the Inspection of Protection...*, op. cit., art. 2.

²⁵⁵ *The Act of 26 April 2007 on management*, op. cit., art. 26, section 1.

ministers in charge of government administration departments and central government administration bodies.²⁵⁶ The legislator provided for the provisions of expenditure on crisis management in budget section No. 750 – public administration.²⁵⁷ It should be noted that in accordance with the Constitution of the Republic of Poland, local self-government units should be guaranteed participation in public revenues to the extent appropriate to their tasks. According to the basic act, the sources of origin of the self-government finances are: own revenues, general subsidies and special-purpose subsidies from the state budget.²⁵⁸

Pursuant to *the Act on Crisis Management*, special-purpose subsidies are granted for tasks commissioned in the scope of government administration duties. The legislator stressed that the amount of the subsidy should be sufficient to carry out the task entrusted.²⁵⁹ It should be noted that the authors of the normative bases of crisis management have omitted other possibilities of special-purpose subsidies in the cited provision. Pursuant to *the Act on revenues of local government units*, special-purpose subsidies may also include: other tasks ordered by laws; tasks implemented under agreements concluded with government administration bodies; removing direct threats to public safety and order, the effects of floods and landslides and the effects of other natural disasters; financing or co-financing own tasks; implementation of tasks resulting from international agreements.²⁶⁰ Thus, it should be remembered that local governments may receive special-purpose subsidies – also for crisis management – on the basis of a separate act. The provision concerning combating direct threats to public safety and order *de facto* means the possibility of co-financing the self-government own tasks in the field of crisis management. This wording was reflected in the provisions of *the Act on Crisis Management*.²⁶¹ The poviats – including a city with poviats status – may also receive additional special-purposes subsidies from the state budget in the form of a subsidy for the implementation

²⁵⁶ *Ibid.*, art. 26, section 2.

²⁵⁷ *Rationale for the draft law on crisis management...*, op. cit., p. 12.

²⁵⁸ *Constitution of the Republic of Poland...*, op. cit., art. 167, sections 1, 2.

²⁵⁹ *The Act of 26 April 2007 on management*, op. cit., art. 26, section 3.

²⁶⁰ *The Act of 13 November 2003 on the incomes of local government units*, Dz.U. from 2017, item 1453, 2203, 2260, art. 8, section 1.

²⁶¹ *The Act of 26 April 2007 on management*, op. cit., art. 26, section 5.

of poviats inspection and guard tasks²⁶², which are part of a combined administration.²⁶³ It is a solution that extends – although it concerns only the poviats – the scope of special-purpose subsidies for crisis management. The detailed procedure for granting and accounting for special-purpose subsidies is regulated by the *Public Finance Act*.²⁶⁴ However, it should be noted that the regulation of special-purpose subsidies in the *Act on Crisis Management* already raised justified doubts at the project stage.²⁶⁵

Territorial self-government units were obliged to create within the budgets “a special reserve shall be created in the budget of the local government unit for the carrying out of crisis management related own tasks. It shall amount up to 0.5% of the current expenditure of the local government unit’s budget decreased by investment outlays, expenditure for wages and salaries and similar benefits, as well as expenditure for servicing the debt”²⁶⁶ created with the proviso that the sum of specific provisions may not exceed 5% of the budget expenditure of a local government unit.²⁶⁷ As explained by the legislator, the introduction of the budget reserve resulted from the public consultations. Initially, on the basis of the arrangements with local government representatives, the legislator introduced the obligation to create a special reserve in the amount of up to 1% of current budget expenditure of the local government unit, also reduced by a closed catalogue of expenses.²⁶⁸ However, the amendment to the Act of 17 July 2009 established the current wording of the regulation. It was considered that the amount up to 1% can be read as a zero amount. The term “up to 0.5%”

²⁶² *The Act of 13 November 2003 on the incomes of local government units*, op. cit., art. 8, section 2.

²⁶³ *The Act of 5 June 1998 on poviats self-government...*, op. cit., art. 4, section 2, art. 33b.

²⁶⁴ *The Act of 27 August 2009 on public finance*, Dz.U. from 2017, item 2077, art. 143, 148, 168–170.

²⁶⁵ T. Augustyniak-Górna, *Opinion on the compliance of the draft Act on Crisis Management – print No. 770 (in particular art. 26) with the Act on revenues of local government units*, [http://orka.sejm.gov.pl/rexdomk5.nsf/\(\\$All\)/5975D9A7CB88779EC125726F00330CE4/\\$File/i264-07.rtf?OpenElement](http://orka.sejm.gov.pl/rexdomk5.nsf/($All)/5975D9A7CB88779EC125726F00330CE4/$File/i264-07.rtf?OpenElement) [access date: 22.01.2018].

²⁶⁶ *The Act of 26 April 2007 on management*, op. cit., art. 26, section 4.

²⁶⁷ Provisions for expenses whose detailed division into budget classification items is not possible to be made during the period when the draft budget act is being prepared; and when separate acts so provide. *The Act of 27 August 2009 on public finance*, op. cit., item 2077, art. 140.

²⁶⁸ *Rationale for the draft law on crisis management...*, op. cit., p. 12.

set the lower amount of the reserve. However, it did not limit the decision of local self-government units on the possible increase in expenses.²⁶⁹

It is worth noting that in addition to subsidies from the state budget, local government can receive funds from special-purpose funds, launched on the basis of separate acts. It can also use subsidies granted by the National Fund for Environmental Protection and Water Management as well as voivodeship funds for environmental protection and water management.²⁷⁰ The National Fund is a state legal person, thus has legal entity, however the State Treasury disposes of the financial surplus, unless the regulations governing the system of the individual unit state otherwise.²⁷¹ In the case of the discussed funds, the legislator reserved their financial independence and, secondly, precisely defined the allocation of spending the income according to categories.²⁷² Therefore, the funds should be considered as a potential source of financing crisis management – especially activities related to reconstruction after a crisis. It should also be noted that the National Fund is an international financial institution authorized to implement funds from EU funds, in turn, provincial funds can act as financial intermediaries.²⁷³

As a rule, it should be noted that the amount of subsidies for co-financing own current and investment tasks may not constitute more than 80% of the costs of the task. Exceeding the statutory restriction is possible in the case of special-purpose subsidies granted by acts.²⁷⁴

The transformation of the existing crisis response teams into crisis management teams was a significant change in the civil protection system

²⁶⁹ *Rationale for the draft Act amending the act on crisis management together with draft executive acts*, op. cit., p. 11.

²⁷⁰ *The Act of November 13, 2003 on the incomes of self-government units...*, op. cit., art. 8, section 3, 4.

²⁷¹ *The Act of 16 December 2016 on the principles of state property management*, Dz.U. from 2016, item, 2259, art. 3, section 1b.

²⁷² *The Act of 24 August 1991 on environmental protection...*, op. cit., art. 401c.

²⁷³ *Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common rules on the European Regional Development Fund, European Social Fund, Cohesion Fund, European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on European Regional Development Fund, European Social Fund, Cohesion Fund and European Maritime and Fisheries Fund and repealing Council Regulation (EC) No. 1083/2006*, OJ L 347, 20.12.2013, art. 38, section 4, lit. b, point (ii).

²⁷⁴ *The Act of 27 August 2009 on public finance...*, op. cit., art. 128, section 2.

in crisis situations introduced by the crisis management act.²⁷⁵ According to the intention of the legislator, crisis management teams at the gmina, powiat and voivodeship levels were to be financed on the same basis as the existing gmina response teams, powiat crisis response teams and voivodeship crisis response teams.²⁷⁶ Considering that Article 32 of *The Act on Crisis Management* – concerning the described transformation – from the beginning did not change the wording²⁷⁷ the intentions of the legislator should still be considered binding. The activity of crisis response teams was regulated by *the Act on the state of natural disaster*. The functioning of the teams should therefore be financed, respectively, from the budgets of local government units, voivodes and the minister competent for internal affairs.²⁷⁸ However, it should be stipulated that the tasks of crisis response teams ran far beyond the consultative and advisory duties.²⁷⁹ In particular, the implementation of plans and procedures at the time of natural disasters required technical facilities. Technical standards and equipment conditions for gminas were imposed. It was assumed that “investment tasks necessary for setting up and functioning of teams, and ensuring their readiness to perform tasks in extraordinary measures, will be financed from funds allocated in the state budget for investments of state budgetary units and from the funds of long-term programs.”²⁸⁰ With the entry into force of the Act on Crisis Management and the allocation of tasks of organizational teams and organizational units (apart from the gmina crisis management

²⁷⁵ *The Act of 26 April 2007 on management...*, op. cit., art. 32.

²⁷⁶ *Rationale for the draft law on crisis management...*, op. cit., p. 12.

²⁷⁷ Cf. *The Act of 26 April 2007 on management*, op. cit., art. 32 and *The Act of 26 April 2007 on management*, Dz.U. from 2007 No. 89, item 590, art. 32.

²⁷⁸ *The Act of 18 April 2002 on the state of disaster...*, op. cit., art. 12, section 4, 5.

²⁷⁹ The teams' tasks included: 1) monitoring of natural disasters and forecasting the development of the situation, 2) implementation of procedures and programs of response during the state of natural disaster, 3) development and updating of emergency response plans, 4) planning support for bodies managing activities at a lower level of public administration, 5) preparation of conditions enabling the coordination of humanitarian aid, 6) implementation of information policy related to the state of natural disaster. *The Act of 18 April 2002 on the state of natural disaster*, op. cit., item 558, art. 12, section 2.

²⁸⁰ *Regulation of the Council of Ministers of December 3, 2002 on the method of creating a municipal response team, powiat and voivodeship crisis response team and the Government Crisis Coordination Team and their functioning*, Dz.U. from 2002 No. 215, item 1818, § 18.

centres), the existing technical facilities were included for the purposes of the operation of the new system.

Currently, the main costs are generated by crisis management centres. When the Government Centre for Security was established, the legislator estimated that expenditures on organization and functioning of the new institution would consume over PLN 4.1 million.²⁸¹ Despite the fact that the national crisis management centre is one of the elements of the Government Centre for Security, the quoted costs illustrate the overall tendency for the allocation of funds in the system. The Act does not provide for remuneration for members of crisis management teams, as well as executive bodies. Tasks, among others, of monitoring threats, reacting in crisis situations, organizing communication rests on the organizational units of the system – including crisis management centres. The implementation of tasks creates the main source of the financial need of the system. Here the solutions introduced statutorily should be examined.

At the national level the financing for the carrying out of crisis management related tasks is planned within the framework of the state budget in the parts at the disposal of voivodes, the minister competent for the internal affairs and other ministers managing the sections of government administration and the central government administration bodies.²⁸² The managers of the budget part means, among others, unit managers, competent ministers, heads of central offices, voivodes and heads of state organizational units, which are not organs of government or government administration that dispose of the parts of the state budget.²⁸³ Budgetary classification is the systematization of public funds as well as public expenditures and outlays according to parts, divisions, chapters and paragraphs.²⁸⁴ The budget parts are set by the Minister of Finance in the regulation on the classification of budgetary parts. There are 97 parts at the moment.²⁸⁵ Public revenues, public expenditures, income from activities

²⁸¹ *Rationale for the draft law on crisis management...*, op. cit., p. 11.

²⁸² *The Act of 26 April 2007 on management*, op. cit., art. 26, section 2.

²⁸³ *The Act of 27 August 2009 on public finance*, op. cit., art. 2, section 8.

²⁸⁴ *Regulation of the Minister of Finance of 2 March 2010 on the detailed classification of income, expenses, revenues and expenditures and funds from foreign sources*, Dz.U. from 2010 No. 38, item 207, § 1.

²⁸⁵ In 2017, the part '36. Treasury' has been repealed. Cf. *Decree of the Minister of Finance of*

carried out by them and from other sources, as well as funds from the EU budget and from non-returnable foreign sources are classified by sections and chapters which define the type of activity; paragraphs specifying the type of income, receipts or expense. Revenues originating from the sale of securities, privatization of Treasury assets and assets of local government units, repayment of loans and credits granted from public funds, from loans and credits received and from other financial operations, as well as public outlays, are classified according to paragraphs defining source of income or type of outgoings.²⁸⁶

Divisions are distinguished on the basis of the criterion of areas of public activity. For example, the following are distinguished: 010 Fisheries and Hunting; 750 Public administration; 754 Safety and fire protection. The chapter constitute the deepening of the division classification and are distinguished on the basis of the type of business criterion, e.g. 775248 removal of the effects of a natural disaster; 75421 crisis management or based on an entity performing public tasks e.g. 75406 Border Guard, 75073 Office for Foreigners, 85132 Sanitary Inspection, or 75409 Main Headquarters of the State Fire Service. Paragraphs group income according to their sources, and expenses according to their purpose.²⁸⁷ It should be added that, according to the intention of the legislator, the source of financing own tasks *resulting from the Act on crisis management* is income for the implementation of own tasks, recognized according to the budget classification in the Division – 750 Public Administration.²⁸⁸

It is worth noting that a special reserve was created in the state budget, including crisis situation. It is included in part 83, division 758, *reserve for funds for financing strategic reserves, in situations of threat to state security*

30 June 2016 on the publication of a uniform text of the Regulation of the Minister of Finance on the classification of budgetary parts and the definition of their administrators, Dz.U. from 2016, item 1026, § 1 and The Regulation of the Minister of Development and Finance of January 9, 2017 amending the regulation on the classification of budgetary parts and determining their administrators, Dz.U. from 2017, item 74, § 1, section 1.

²⁸⁶ Act of 27 August 2009 on public finance, op. cit., art. 13.

²⁸⁷ Budget Act for 2017 of 16 December 2016, Dz.U. from 2016, item 108. The amount of state budget expenditures in parts: 17 – Public administration, 42 – Home affairs and 43 – Religious confessions and national and ethnic minorities divided into divisions, chapters and expenditure groups.

²⁸⁸ *Rationale for the draft law on crisis management...*, op. cit., p. 12.

and defence, security, public order and public health, and the occurrence of a natural disaster or crisis situation. In 2017, it was PLN 20,000 thousand.²⁸⁹

The description of financing sources for individual elements of the crisis management structure should be started – in accordance with the centralization order – on the characteristics of the national level.

The Government Centre for Security was established on the basis of the regulation of the Prime Minister on July 10, 2008.²⁹⁰ It was preceded by the appointment of Antoni Podolski as the Government's plenipotentiary for the creation of the Centre.²⁹¹ At that time, attention was paid to incorrect calculation of the costs of establishing and operating a newly created institution. The full-time employment structure of the above-mentioned units was to absorb more than half of the planned expenditure on employment – more than PLN 1 million.²⁹² This illustrates the scale of needs for budgeting in the Centre.

Government Centre for Security obtained the status of a budgetary unit. That is, an organizational unit of the public finance sector without legal entity, which covers its expenses directly from the budget, and pays the collected income to the account of the state budget, respectively.²⁹³ According to the Budget Act for 2017 of 16 December 2016, funds for Government Centre for Security were reserved in part 42 – Internal Affairs, in Division 754 – Public safety and fire protection, in Chapter 75421 – Crisis

²⁸⁹ *Budget Act for 2017 of 16 December 2016*, op. cit.

²⁹⁰ *Regulation of the Prime Minister of 10 July 2008 on the organization and operation of the Government Centre for Security*, Dz.U. from 2008 No. 128, item 821.

²⁹¹ *The Act of April 26, 2007 on Crisis Management*, op. cit., art. 33 and also *Ordinance No. 64 of the Prime Minister of June 15, 2007 regarding the appointment of the Government Plenipotentiary for the organization of the Government Centre for Security*, available at http://www.bialystok.uw.gov.pl/NR/rdonlyres/2492AC25-CC36-438D-9A7D-5DDA4A588AE4/0/200789590.htm#_Publikacja_w_BIP [access date: 20.01.2018].

²⁹² Cf. *The answer of Witold Drózdź – Undersecretary of State in the Ministry of the Interior and Administration – under the authority of the Prime Minister - for interpellation No. 3701 regarding the establishment of the Government Centre for Security dated July 10, 2008*, available at <http://orka2.sejm.gov.pl/IZ6.nsf/main/638BC63C> [access date: 20.01.2018] with *Rationale for the draft law on crisis management...*, op. cit., p. 11.

²⁹³ *The Act of 27 August 2009 on public finance*, Dz.U. from 2013, item 855 with later changes, art. 11–13.

management.²⁹⁴ In the Budget Act for 2017, the amount specified in the chapter indicated was PLN 7,578 thousand.²⁹⁵ This indicates a significant increase in crisis management spending compared to the plans at the time the system was created.

Pursuant to the Act, voivodes, ministers in charge of government administration departments and central government administration bodies use the parts they have.²⁹⁶ Thus, in order to indicate the appropriate source of financing of crisis management tasks for the government public administration, the appropriate part of the classification should be found. This also applies to the bodies listed in the *Regulation of the Council of Ministers of December 15, 2009 on defining government administration bodies that shall establish crisis management centres, and defining their methods of operation*.²⁹⁷ In turn, voivodes have the part 85, where in division 754 – public safety and fire protection and in chapter 75421 – crisis management, the amount of PLN 8,388 thousand is planned for PLN 2017. It was the planned value of expenses for all voivodeships in Poland. The budgets of individual voivodeships have been described in separate parts. For example, in part 85/28, funds for the Warmińsko-Mazurskie Voivodeship were allocated in chapter 75421 – PLN 196 thousand. The Warmińsko-Mazurskie voivodeship was assigned to the part 85/30 with the amount of expenditure on crisis management of PLN 920 thousand. The highest pool of funds is planned for the Małopolskie voivodeship, PLN 5,190 thousand.²⁹⁸ Most probably, the allocation of funds results from the assessment of threats occurring in a given region of the country.

Expenditures for the implementation of tasks in the field of crisis management were recorded and carried out in parts of the budget:

²⁹⁴ *Budget Act for 2017 of December 16, 2016 – signed by the President of the Republic of Poland on January 13, 2017*, Dz.U. from 2017, item 108 and *Information on Government Centre for Security assets*, available at <http://www.rcb.bip-e.pl/rcb/majatek/1761,Wykaz-srodkow-trwalych-i-pozostalych-srodkow-trwalych-wg-Klasyfikacji-Srodkow-Tr.html> [access date: 22.01.2018].

²⁹⁵ *Budget Act for 2017 of 16 December 2016*, op. cit.

²⁹⁶ *The Act of 26 April 2007 on management*, art. 26, section 2.

²⁹⁷ *Regulation of the Council of Ministers of 15 December 2009 on defining government administration bodies that shall establish crisis management centres, and the manner of their operation*, Dz.U. from 2009 No. 226, item 1810.

²⁹⁸ *Budget Act for 2017...*, op. cit.

internal affairs, where in 2016 amounted to PLN 7557 thousand with planned expenses for the amount of PLN 7,672 thousand; education and upbringing – the entire planned amount of 5 thousand has been spent. For implementation of tasks in the field of crisis management, from voivodeship budgets, PLN 4,651 thousand were spent, while PLN 8,388 thousand were planned.²⁹⁹ The total amount of expenses incurred in performing emergency management tasks in 2016 amounted to PLN 12,213 thousand from PLN 166,065 thousand.³⁰⁰

It should be noted, however, that in accordance with the adopted research decisions, the expenses for crisis management may turn out to be higher than those recorded in the following areas: internal affairs, education and upbringing, voivodeship budgets, crisis management chapters. Authorities subordinate to or supervised by the Ministry of Interior and Administration also have statutory obligations towards the crisis management system. On the basis of the budget act itself, it is not possible to precisely specify the amounts allocated to counteracting a crisis situation. To illustrate the scale of budgets, it is worth explaining that the planned expenses for 2017 for the Police Headquarters amounted to PLN 328,127 thousand. Field units of the Police received PLN 329,217 thousand; Voivodeship Police Headquarters PLN 2,196,007 thousand; Border Guard PLN 1,459,156 thousand; National Headquarters of the State Fire Service PLN 199,699 thousand; Volunteer fire brigades PLN 39,000 thousand; Civil defence PLN 275 thousand.³⁰¹

²⁹⁹ *Report on the implementation of the state budget for the period from January 1 to December 31, 2016*, v. I and II, Warszawa 2017, available at http://www.mf.gov.pl/ministerstwo-finansow/dzialalnosc/finanse-publiczne/budzet-panstwa/wykonanie-budzetu-panstwa/sprawozdanie-z-wykonania-budzetu-panstwa-roczne/-/asset_publisher/R79o/content/6023741?redirect=http%3A%2F%2Fwww.mf.gov.pl%2Fministerstwo-finansow%2Fdzialalnosc%2Ffinanse-publiczne%2Fbudzet-panstwa%2Fwykonanie-budzetu-panstwa%2Fsprawozdanie-z-wykonania-budzetu-panstwa-roczne%3Fp_id%3D101_INSTANCE_R79o%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_p_col_id%3Dcolumn-2%26p_p_col_count%3D1 [access date: 23.01.2018].

³⁰⁰ Cf. *Budget Act for 2017...*, op. cit. with *Report on the implementation of the state budget for the period from January 1 to December 31, 2016*, op. cit.

³⁰¹ *Budget Act for 2017 of 16 December 2016*, op. cit. The amount of state budget expenditures in parts: 17 – Public administration, 42 – Home affairs and 43 – Religious denominations and national and ethnic minorities divided into divisions, chapters and expenditure groups.

On the basis of the presented findings, several conclusions can be drawn:

- 1) The teleological function of the text (including legal acts) was recognised as the most relevant factor distinguishing the normative and pragmatic perspective of research.
- 2) From the normative perspective, crisis management is the activity of public administration bodies.
- 3) On the basis of the statutes, a *narrow* and *broad* understanding of public administration can be distinguished.
- 4) Narrow understanding is based on the content of the Act on Crisis Management. Broad understanding stems from the content of other laws.
- 5) The normative determination of the scope of the meaning of a crisis situation requires taking into account the judgments of the Constitutional Tribunal.
- 6) The crisis situation in the normative sense is not one of the three extraordinary measures.
- 7) Crisis management structure means the possible scope of entities responsible for this activity.
- 8) Poland has a five-level crisis management structure. Each level is divided into three parts (decision-making, consultative and advisory bodies and crisis management centres). They are supported by public administrations in a broader sense.
- 9) According to the statutory regulations, the financing of crisis management is based on the state budgets and local government units.
- 10) The manner of classification of budget expenditures does not allow precise indication of all amounts transferred to crisis management in Poland.

CHAPTER III

SECOND FUNCTION OF THE TYPOLOGICAL RELATION: CRISIS MANAGEMENT PRACTICE. GENERAL TENDENCIES IN TERRITORIAL IMPLEMENTATION

In accordance with the functional research perspective adopted in the paper, pragmatics is to be the second side of the crisis management function. It is assumed that crisis management is a relation that arises at the interface between law and practice. The previous chapter explains how the legislator regulated the issue of structure and financing the crisis management in Poland. The description of the structure consisted in presenting the statutory catalogue of authorities responsible for crisis management and indicating their tasks in this field. Financial aspects in normative terms meant, in turn, the scope of planned costs and a set of rules for their spending by crisis management bodies. Therefore, the logical continuity of the argument requires explaining the pragmatics of the system's functioning after the previous description of normative issues. Thus, the main goal of the current chapter is to present the pragmatics of the functioning of the crisis management system. In other words, after establishing (in the second chapter) which organs are part of the crisis management structure in Poland and defining their tasks, the results of research on their activities (the way of performing normative tasks) will be presented here. As for financial issues, this chapter describes the results of the arrangements on how to implement the principles for financing crisis management and the scale of expenses incurred (implemented plans). It can therefore be concluded that the purpose of this chapter is the presentation of the tasks performed by the crisis management bodies and the ways of spending funds on their activities.

Although the national central level data was analysed the chapter as an example of general tendencies, the main focus of research interests was on the lower levels of territorial administration. *Territorial implementation*, which is announced by the title of the chapter, means the practice of public administration at the voivodeship, powiat and gmina levels.

Descriptions of practical solutions for organizing the structure of crisis management, functioning and disbursement of finances for it will be the reference point for the next chapter. It will allow to show how the practice and the norm are mutually shaped. That is, how to understand crisis management in a functional approach. Let us check the supposition that the practice 'deforms' distorts the normative frame. Therefore, it is not the purpose of the work to show all the deformations – which may be another research project – but to create a theory that takes into account and indicates their possible scope. Therefore, due to the purpose of the work, the presented chapter is not to be a comprehensive description of all activities undertaken in Poland within the framework of crisis management structures. It is to be an analysis of practical data within a voivodeship. It is to present the Polish casus in the territorial implementation.

The chapter was based on idiographic research, which is characterized by striving for the highest probability of findings. As far as the applied reasoning principle is concerned, it is most appropriate to point to the model of inference by incomplete enumerative induction.³⁰² The number of collected sources confirming the same information determines the degree of its probability. Basic research comes down to discursive analysis of documents – which assumes the pragmatic nature of the adopted functional-pragmatic research perspective. Obtained information on, among others, sources of crisis management financing, training and planning activities, crisis situations as well as the principles and manner of organizing the Centre have been compared with the general information on the subject and documents available in gmina, powiat and voivodeship offices. Thus, it was considered useful for discursive text analysis to use institutional and normative methods as well as decision-making research methods.

The chapter consists of three subsections. In the first of them, the territorial structure of crisis management was presented on the example of

³⁰² Z. Ziemiński, *Logika praktyczna*, PWN, Warszawa 2015, pp. 182–183.

solutions adopted on the Voivodeship level. It presents the way of organizing and functioning of voivodeship, poviats and gmina crisis management Centres. It adapts the Central Place Theory (CPT) to clarify the location of individual crisis management units within the regional urban structure. It is assumed that in accordance with the strategies of regional development adopted in Poland, the sustainable development of centres is directly related to the physical protection of human, cultural and material resources. Sustainable development – which is emphasised in the literature³⁰³ – is one of the basic directions of development of the European Union. Thus, Poland as a member state is obliged to make its planning documents (including security documents) consistent with the assumptions of the regional development strategy. The content of flood protection plans is related to the assumptions of spatial development³⁰⁴ plans of a given territorial division or that EU subsidies depend on the compatibility of projects with regional development strategies. The location of crisis management centres according to the hexagonal arrangement of central places and settlement hierarchy should be conducive to their effectiveness. The presentation of the field structure was preceded by explanations on the descriptions of the activities of this structure. It was decided that the most important from the point of view of the research objectives of this paper will be to follow the activities during the crisis response phase – and thus during crisis situations. The dynamics of activities, time pressure and non-standard solutions characterize this phase of crisis management. Thus, it is the type of structure that contributes the most to shaping crisis management – understood as the relationship between legal norms and practice. Structure of competences system for acting in crisis situations were presented. Catalogues, task modules, procedures, operates are the ways of organization the activities of the subjects in crisis management system. In

³⁰³ Е. Панушев, *Европейският семестър и България*, [in:] *Прилагане на интегриран подход в икономическата политика на Европейския съюз*, Отг. ред. Емил Панушев, Велико Търново, Ай ад Би, 2017.

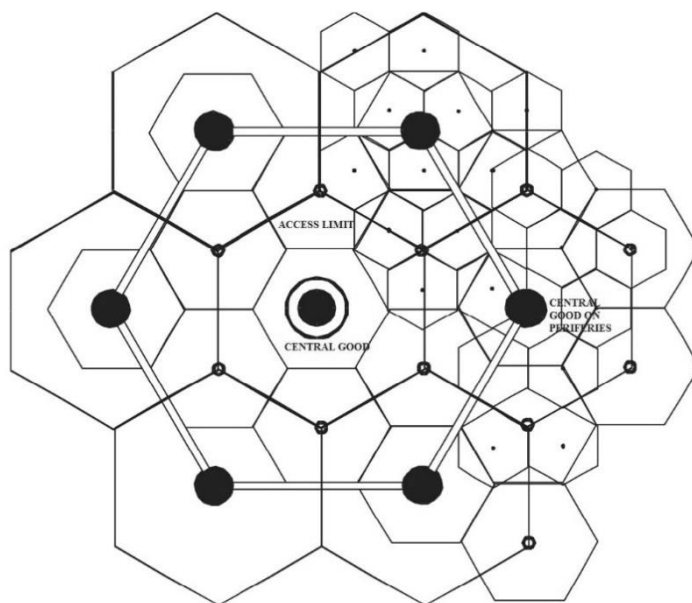
³⁰⁴ Also in other countries spatial development is being calculated as a main factor in development. M. Velikova, D. Mihaleva, *New Approaches and Instruments for Specific Territories' Management in Bulgaria: Key Points of the Regional Policy under Reformation*, [in:] *Regionalisation and Regional Policy in Central and Eastern Europe*, I.P. Kovacs, C.M. Profiroiu (eds.), NISPAcee, Bratislava 2014, p. 289.

the crisis management system in Poland, the general tendency to assess a threat based on risk assessment does not translate into an assessment of its frequency. What is important is that it confirms the need for a functional approach to the theory of crisis management and the definition of crisis situations. A section devoted to the description of the sources and scale of expenses for crisis management in Poland ends the chapter. The chapter constructed in this way is to serve as a reference point to justify the theory of crisis management developed in the last part of the paper.

3.1. CRISIS MANAGEMENT STRUCTURE IN THE TERRITORIAL IMPLEMENTATION

The Central Place Theory is a model justification for the way in which crisis management centres are located in territorial administration units, and should also serve to improve the deployment of field civil protection warehouses and crisis management. It not only justifies the shape of the crisis management system in Poland, but can also stimulate its development. The hexagonal arrangement of the distribution of settlement centres in the Central Centre Theory suggested a symmetrical method of distribution of central goods – i.e. services and goods accumulated in one place and offered to peripheral units. This type of service in the crisis management system concerns first of all substantive support but also material resources support. According to the assumptions of the hexogenic system, the distribution of central goods depends on the possibility of response, which is a derivative of the number of target groups of a given centre. In the assumption of the theory of W. The Christaller central centre has a typical population of up to 500,000 people and is supported by a complementary region with a potential of 3,500,000 people. The range of the centre can be divided into smaller centres. Such a division is made on the basis of 18 centres with a typical population of around 10,000 and a supplementary region of up to 100,000 people, while access to the central good at a lower level, i.e. in centres with up to 2,000 people and a supporting territory with up to 11,000 people, should be divided into 162 units. The graphic layout of the units is shown in the graph below. It clearly shows that the hexagonal distribution of central goods ensures that the population's demand for the desired goods or services is met in full.

Fig. 11. Hexagonal model of distribution of central goods



Own elaboration based on: E. Nowosielska, *Teoria Christallera – prawda i mity (w sprawie nieporozumień pojęciowych)*, Warszawa–Wrocław–Kraków 1992.

Taking into account the irregular location of people, it should be recognised that the location of authorities responsible for crisis management in Poland implements the aforementioned principle of division. The territorial division of the country was made by 16 voivodships. The voivodships were divided into districts with similar parity of people as the aforementioned 10 000 + 100 000 (Świętokrzyskie voivodship has 1.3 million people living in 13 districts and 102 communes [approximately 2000 + 11 000]). The following explanations through the description of tasks but also explanations on the ability to act of individual crisis management entities contain a description of the offered central goods and at the same time present the pragmatic side of the crisis management structure in Poland.

The bodies of public administration in the voivodship are: voivode (government administration) and voivodeship marshal (self-government administration). The Marshal's Office, in accordance with the Act on Crisis Management, did not receive any tasks within the crisis management

structure. However, taking into account the pragmatics of the system's operation until 2017, in the event of a crisis situation, the flood protection warehouses of the marshal's office constituted an element of logistic support for the system.³⁰⁵ Along with the amendment to the *Water Law Act*³⁰⁶, the Voivode is currently responsible for equipping and maintaining voivodeship flood protection warehouses.³⁰⁷

The voivode "performs and coordinates tasks in the field of state defence and security as well as crisis management."³⁰⁸ Responsibilities of the voivode as a competent body in matters of crisis management in the voivodeship have been specified in the Act on Crisis Management.³⁰⁹ The legislator left the form of their implementation at the discretion of the voivode. Thus, voivodes have the freedom to organize voivodeship offices with which they carry out their tasks. The voivode carries out its tasks with the help of the proper director of the department.³¹⁰ The Director of the Department of Security and Crisis Management. Departments are divided into offices and so-called other cells – including the Crisis Management Centre with the Manager at the helm.³¹¹ In fact, in the three-level division of duties, the head of the voivodeship crisis management Centre bears the burden of implementing crisis management tasks. This is evidenced by, among others power of attorney authorized by the voivode to sign the documents in the event of crisis situations, and the need to submit daily

³⁰⁵ F. Mroczo, *Zarządzanie kryzysowe w sytuacji zagrożeń niemilitarnych*, Wałbrzych 2012, p. 260.

³⁰⁶ The existing competences of the Melioration and Water Equipment Management Boards have been taken over by the new government institution State Water Farm Polish Waters.

³⁰⁷ Work Teams have been set up to transfer the anti-flood warehouses to the State Treasury from the voivodeship self-government. q.v., *Ordinance No. 136/2017 from December 6, 2017 regarding the appointment of a Working Team for the takeover of flood control warehouses from the Voivodeship Self-government and the Inventory Team for the preparation and implementation of tasks related to the takeover of flood protection warehouses*, § 1, available at <http://bip.kielce.uw.gov.pl/download/2/16027/Zarzadzenienr136.pdf> [access date: 12.08.2017]. The warehouses have been located in w Grotniki Duże and in Kępa Chwałowska.

³⁰⁸ *Act of 23 January 2009 on the voivode and government administration in the voivodeship*, op. cit., item 209, 1566, art. 14.

³⁰⁹ *Act on Crisis Management of 27 April 2007*, op. cit., item 209, 1566, art. 14.

³¹⁰ *Annex No. 1 to Ordinance No. 62/2016 of June 1, 2016 regarding the regulations of the Świętokrzyskie Voivodeship Office*, art. 7 section 1, available at <http://bip.kielce.uw.gov.pl/bip/urząd-województwki> [access date: 12.08.2017].

³¹¹ *Ibid.*, § 68 art. 1, point 8.

reports to the head of the department and voivode – reports the body that performs the tasks.

The legal basis for the creation of the voivodeship crisis management Centre is Article 16 of the Act of April 27, 2007.³¹² The Act does not specify the exact form of organization of the Centre within the voivodeship office. Practice indicates that the most common solution is the creation of a Centre within the Security Department of the Voivodeship Office. Also in the Świętokrzyskie Voivodeship – admittedly after perturbations and initial employment of on duty officers within the Department of Citizens and Foreigners' Affairs³¹³ – the Centre was eventually established as a unit of the Department of Security and Crisis Management.³¹⁴

Centre's responsibilities are related to the service of the Voivodeship Crisis Management Team. It's tasks are assigned in the field of alarming, organization of information flow as well as the Team's office support.³¹⁵

³¹² *The Act of April 26, 2007 on Crisis Management*, op. cit., art. 16.

³¹³ The interview with the manager of Voivodeship Crisis Management Centre.

³¹⁴ The ordinance of the Świętokrzyskie Voivode No. 3/2011 of January 20, 2011 regarding the regulation of the Voivodeship Crisis Management Centre of the Świętokrzyskie Voivodeship Office in Kielce should be considered as the basic document regulating the principles of the Centre's organization. The complementary act is the Ordinance of the Świętokrzyskie Voivode from January 24, 2017 regarding the appointment of the Voivodeship Crisis Management Team in the new structure Świętokrzyskie Voivode, *Annex No. 1 of the Ordinance No. 62/2016...*, op. cit., p. 73; *Ordinance No. 3/2011 of January 20, 2011 on establishing the Regulations of the Voivodeship Crisis Management Centre of the Świętokrzyskie Voivodeship Office in Kielce*, available at bip.kielce.uw.gov.pl/download/2/5996/z32011regulamin.pdf [access date: 12.08.2017]; *Annex No. 1 to Regulation No. 9/2017 of 24 January 2017 regarding the establishment of a Voivodeship Crisis Management Team*, available at Voivodeship Crisis Management Centre in Kielce.

³¹⁵ The Team's tasks include: 1) in the prevention phase, the Voivodeship Team takes measures to reduce or eliminate the probability of a crisis situation. 2) during the preparation phase, the Voivodeship Team undertakes planning activities in the field of management ways in a crisis situation, as well as securing the necessary forces and resources for rescue operations. 3) in the response phase, the Voivodeship Team undertakes activities which are to provide a comprehensive assistance to the injured, stopping or halting the development of phenomena and events, including those causing losses and damage, and limiting their range. 4) during the reconstruction phase, the Voivodeship Team undertakes activities aimed at reconstructing the response capability, including forces and rescue resources, technical-constructional protection and alarm structure, telecommunications, energy, fuel, transport and water supply protection. *Annex No. 1 to Regulation No. 9/2017 of 24 January 2017 regarding the establishment of a Voivodeship Crisis Management Team*, op. cit., § 10–12.

In other words, it has a role to maintain relations between the voivode's consultative-advisory body and the unit maintaining 24-hour readiness to take action.³¹⁶ It is possible that Centre supports the extended Crisis Management Team. It included the Human Trafficking Team and the Mass Events Organization Team.³¹⁷

The organizational structure of the Centre is usually made up of: a manager, professional employees for: planning critical infrastructure protection and energy security, communications and the Detection and Alert System, emergency response planning, flood protection, and on duty analysts – 5 posts.³¹⁸ An employee for the protection of critical infrastructure and energy security performs the functions of a non-permanent deputy manager. The number of five posts reserved for on-duty analysts results from the mode of conducting round-the-clock duties at the Centre. Maintenance of year-round, round-the-clock and two-shift rosters requires signing of five contracts of employment of 40 hours per week. In addition, the principle of the interchangeability of the function applies to the unit, which means that in the event of a crisis, the professional employees – including the manager – can be on duty.³¹⁹ If necessary, at the request of the Manager, the Head of the Department may delegate additional staff to assist in the performance of the Centre's tasks.³²⁰ Unlike, for example, in the Lubuskie Voivodeship³²¹, the coordinator's physician is not part of the Centre (he is assigned to the Emergency Medical Department)³²², although he uses the Voivodeship Crisis Management Centre service rooms.

Voivodeship Crisis Management Centre create a zone with limited access for unauthorized persons, thus eliminating possible disturbances of the Centre's work by the applicants of the Voivodeship Office. Apart from the

³¹⁶ B. Mazurek-Kucharska, S. Wojciechowska-Filipek, *Zarządzanie kryzysowe. Aspekty organizacyjne i psychologiczne*, Warszawa 2014, p. 16.

³¹⁷ *Annex No. 1 to Regulation No. 9/2017 of 24 January 2017...*, op. cit., § 4–6.

³¹⁸ *Ordinance No. 3/2011 of January 20, 2011 regarding the regulation of the Voivodeship Crisis Management Centre...*, op. cit., § 3.

³¹⁹ The interview with the Voivodeship Crisis Management Centre manager.

³²⁰ *Ordinance No. 3/2011 of January 20, 2011 regarding the regulation of the Voivodeship Centre for Crisis Management...*, op. cit., § 6, art. 2, section 3.

³²¹ G. Sobolewski, *Organizacja i funkcjonowanie...*, op. cit., p. 51.

³²² *Annex No. 1 to Ordinance No. 62/2016 of June 1, 2016 regarding the regulations of the Świętokrzyskie Office...*, op. cit., § 6, art. 9, section h.

standard office equipment, the Centre uses a wide range of technical devices. Starting from Motorola GM 360 and DM 3400 radiotelephones, through telephone sets, mobile phones, ending with specialist equipment such as: SIM Logger telephone and radio recorder, OREGON WMR 928 station, Oregon electronic barometer, ICOM IC 7400 radio station – monitoring in the COP network WP, ICOM IC-A110EURO airborne radio station and Vektra electronic siren monitoring system. The conference room, the coordinator's room and the guard's room were equipped with televisions.³²³ They are used to track media reports that are one of the sources of daily security reports.³²⁴ The Centre's technical equipment is used not only in the area of current tasks or to ensure the flow of information in the crisis management system. It is primarily a security in the event of crises situations. In January 2014, during the energy crisis in the part of the Świętokrzyskie Voivodeship (mainly the energy regions: Skarżysko Kamienna, Ożarów, and Ostrowiec Świętokrzyski)³²⁵, in the face of discharging the power of telecommunications relays, radio communication was used.³²⁶ In the case of the 2010 flood, which particularly affected Sandomierz and the neighbouring gminas in the Świętokrzyskie Voivodeship – the Powiat Crisis Management Centre in Tarnobrzeg based communication on subscriber telephony.³²⁷

A number of IT systems and facilities are used in the work of the Voivodeship Crisis Management Centre. The radio and cable communication system complements the videoconferencing system of the Ministry of Interior and Administration.³²⁸ EZD Edicta – an electronic document management system that is a platform for managing

³²³ *Detailed logistics of the Voivodeship Crisis Management Centre of the Świętokrzyskie Voivodeship Office*, available at Voivodeship Crisis Management Centre in Kielce, pp. 2–6.

³²⁴ The interview with the manager of Voivodeship Crisis Management Centre.

³²⁵ P. Baran, *Awarie prądu w Świętokrzyskiem. Trwają naprawy w wielu miejscowościach*, "Echo Dnia" 2014, 23 January as well as the Voivodeship Crisis Management Centre, *Risk assessment of the Świętokrzyskie Voivodeship in 2014*, WBiZK.I.6332.2015, dated January 10, 2015, available at Voivodeship Crisis Management Centre in Kielce.

³²⁶ *Municipal Crisis Management Team in Bodzentyn, minutes from the meeting of the Municipal Crisis Management Team in Bodzentyn on December 18, 2014*, p. 5, available at the Bodzentyn Town and Gmina Office.

³²⁷ The interview with Tadeusz Blacha Manager of Powiat Crisis Management Centre in Tarnobrzeg.

³²⁸ *Detailed logistics Voivodeship Crisis Management Centre...*, op. cit., p. 1.

correspondence, documents, projects, orders, deadlines and working time of employees enables efficient circulation of documents. It collects documents creating a central information base. It is supplemented by the OPAL Classified Internet Service system designed by the Ministry of Interior and Administration, controlled by the Director of the Government Centre for Security. OPAL serves the transmission of classified information constituting a trade secret marked with the 'confidential' clause and information classified as 'NATO Restricted' and 'EU Restricted', between authorized entities. The encryption of information is provided by the PEM-HEART encryption program and the keys of entities authorized to secure the electronic signature and message encryption.³²⁹ In order to prepare an undisclosed documentation, the POPIEL system is used.³³⁰ The Centre also uses the Electronic Platform of Public Administration Services (ePUAP) to the extent specified by the Regulation of the Minister of Administration and Digitization of May 6, 2014.³³¹ The Central Reporting Application (CAR), a threat reporting system, is extremely important for the information flow in the crisis management system. CAR creates a unified and consistent reporting system connecting the powiat, voivodeship crisis management Centres and the Government Centre for Security.³³² "Within CAR, a uniform catalogue of threats was created – all information entered into the system is assigned to the appropriate category. There are about 20 of them, for example natural disasters or transport accidents. This division unifies the reporting system, facilitates information retrieval and, most importantly, shortens the response time to an event."³³³ The Świętokrzyskie Voivode, in accordance with the Voivodeship Crisis Management Centre regulations,

³²⁹ Ibid., pp. 1–2.

³³⁰ *Ordinance No. 3/2011 of January 20, 2011 regarding the establishment of the Regulations of the Voivodeship Centre...*, op. cit., p. 12.

³³¹ *Regulation of the Minister of Administration and Digitization of May 6, 2014 regarding the scope and conditions of using the electronic platform for public administration services*, Dz.U. from 2014, item 584.

³³² P. Domański, *System wsparcia informatycznego w systemie zarządzania kryzysowego na szczeblu wojewódzkim*, "Rocznik Bezpieczeństwa Morskiego, Akademia Marynarki Wojennej", Gdynia 2016, p. 247.

³³³ *Central Reporting Application works from 1 September this year – announcement, 10 September 2013*, available at <http://rcb.gov.pl/centralna-aplikacja-raportujaca-dziala-od-1-wrzesnia-br> [access date: 25.05.2017].

imposed on the Centre the obligation to carry out tasks within the scope of the Detection and Alert System and the Early Warning System.³³⁴ The Centre conducts a permanent hydrological and metrological supervision based on the Monitor of the Institute of Meteorology and Water Management (IMGW) – National Research Institute.³³⁵ The monitor is a tool for collecting and visualizing measurement data. The data comes from the IMGW automated measuring network as well as from measurements made by observers. Access to the website is done via a web browser. The data is made available simultaneously to the Institute's employees and external statutory users, such as crisis services, government institutions, the army or the fire brigade.³³⁶ Hydrological monitoring also takes place on the basis of messages received from the Department of the Operational Centre for Flood Management of the Central Vistula of the Regional Water Management Board in Warsaw.³³⁷ The manager and the dispatcher are entitled to use the Regional System of Warning (RSO) – a service of the Ministry of Administration and Digitization that allows citizens to be notified about local threats.³³⁸ Based on the agreement with the local TVP branch, Voivodeship Crisis Management Centre broadcasts warnings on terrestrial television (to teletext and in the form of a bar on the TV screen)³³⁹,

³³⁴ Ordinance No. 3/2011 of January 20, 2011 regarding the establishment of the Regulations of the Voivodeship Centre..., op. cit., art. 14, point 7.

³³⁵ Institute of Metrology and Water Management, *Rainfall of the Institute of Metrology and Water Management National Research Institute branch Cracow*, 17 November 2014, available in Voivodeship Crisis Management Centre in Kielce and Institute of Metrology and Water Management, *Hydrological Announcement of the Institute of Metrology and Water Management National Research Institute branch Krakow*, November 17, 2014, available at the Voivodeship Centre for Crisis Management in Kielce.

³³⁶ Hydrological Centre of the Country Shield, *Monitor IMGW-PIB User's Manual*, 2015 p. 2, available at http://www.imgw.pl/attachments/1829_03_Zalacznik_A_Dokumentacja_uzytkowa%20Monitora_IMGW_PIB.doc [access date: 25.05.2017].

³³⁷ Regional Water Management Authority in Warsaw, *Information on the current situation in the area administered by Regional Water Management Board in Warsaw as at 16/05/2017 at 6:00*, 16 May 2016, available at Voivodeship Crisis Management Centre in Kielce.

³³⁸ P. Domański, *System wsparcia informatycznego...*, op. cit., p. 241.

³³⁹ Świętokrzyskie Voivode, Director of OT TP SA, *Agreement on cooperation in informing the population in crisis situations*, May 14, 2008, available at Voivodeship Crisis Management Centre in Kielce.

as well as Radio Kielce³⁴⁰ via the RSO telephone application as well as on the website of the voivodeship office. The RSO-SMS function has been reserved for priority messages regarding, for example, floods, hurricane winds or other equally violent and dangerous phenomena. The Centre participates in the exercises of the National Detection and Detection System³⁴¹, uses the Geographic Information System. GIS is a tool for collecting and visualizing data. It allows to create and overlap maps prepared for security purposes. The collection of information takes place both by using a network of sensors and ready-made databases prepared e.g. by PSP or Volunteer Water Rescue Service.³⁴² In the Świętokrzyskie voivodeship, GIS is complemented by: the Operational Graphics Package (PGO) and digital maps³⁴³ combined with the universal crisis management support system, Promień.

In the literature on the subject, the main task of crisis management Centres is to provide 24-hour information flow in the crisis management system.³⁴⁴ The Voivodeship Crisis Management Centre Regulations in chapters IV and V successively define the general tasks of the Centre and detailed tasks of the functional persons – the manager and the duty officers. General tasks include:

- cooperation with powiat crisis management Centres in the field of crisis response;
- development, processing and transmission of information on emergency situations;
- development of procedures for the launch and coordination of actions in the field of the provision and reception of humanitarian aid;

³⁴⁰ Świętokrzyskie Voivode, Board of Polish Radio Regional Broadcasting in Kielce Radio Kielce S.A., *Agreement on establishing cooperation in the field of circulation and exchange of information in crisis situations and security threats citizen*, November 23, 2013, available at Voivodeship Crisis Management Centre in Kielce.

³⁴¹ Świętokrzyskie Voivode (2016) II, *Annex No. 1 to Regulation No. 62/2016 of June 1, 2016 regarding the regulation of the Świętokrzyskie Voivodeship Office...*, op. cit., p. 74.

³⁴² P. Domański, *System wsparcia informatycznego...*, op. cit., pp. 238–239.

³⁴³ *Detailed logistics Voivodeship Crisis Management Centre...*, op. cit., p. 2. It would be recommendable to rethink polish participation in System of Maps Assessing Risk of Terrorism against Critical Infrastructures in Big Events Rallies. M.G. Velikova, *Risk mapping system of threats to human security and critical infrastructure during mass events and its application in big municipalities*, "Globalization, the State and the Individual" 2017, No. 2(14), p. 249.

³⁴⁴ F. Krynojewski, K. Sienkiewicz-Małyjurek, *Zarządzanie kryzysowe...*, op. cit., p. 52.

- gathering information and compiling daily reports on the situation in the voivodeship, as well as compiling weekly, monthly and quarterly reports on the situation and forecasted threats;
- permanent exchange of information with the on duty departments of the combined and non-combined administration and other services and inspections;
- in the event of threat and the occurrence of a crisis state, immediate and continuous information on the development of the situation to the Government Centre for Security;
- supervision over the functioning of the detection and alerting system as well as early warning of the population.³⁴⁵

Based on paragraph 13 of the Voivodeship Crisis Management Centre Regulations, the manager's tasks can be grouped into the following categories:

Supervisory – supervision over the office support of the Voivodeship Crisis Management Team; supervision over the Voivodeship Crisis Management Centre document flow system; supervision of monitoring and alerting systems; supervision in the area of all work related to the preparation and securing of the on-duty service; supervising on- duty documentation carried out as part of the Centre's activities; supervision over information compiled on the basis of summary reports for the Voivode and RCB; ensuring compliance with the state secrets specified by individual security classification clauses in the scope of tasks performed by the Centre.

Organizational – organizing the Centre's work; development of on-duty schedules in the Centre; participation in the development of information, analyses, assessments and opinions in matters concerning the scope of the organizational unit's operations; protecting data against unauthorized access, damage or destruction; sharing data.

Managerial – bearing responsibility for the illegal disclosure of personal data, also after termination of employment; training on duty staff at Voivodeship Crisis Management Centre; notifying the director of

³⁴⁵ *Ordinance No. 3/2011 of January 20, 2011 regarding the establishment of the Regulations of the Voivodeship Centre...*, op. cit., p. 6.

the department and voivode about the emergence of a crisis situation and increasing the defence readiness of the state.³⁴⁶

In a crisis situation, the manager is responsible for contacts with the media. He is on duty and supervises the work of on-duty analysts, on this basis that he has a full and current field diagnosis. In addition, he most often maintains direct contacts with the action commanders, which allows him to follow the dynamics of the situation.³⁴⁷

The Voivodeship Centre for Crisis Management also perform a number of tasks in the field of civil defence and defence of the country. It conducts activities unrelated to crisis management. According to the ruling of the Constitutional Tribunal, activities in the area of extraordinary measures are not subject to crisis management.³⁴⁸ The Voivodeship Crisis Management Centre Rules, however, imposes extraordinary obligations concerning extraordinary measures on the Centre.³⁴⁹ The manager of the Centre and professional staff members participate in developing plans appropriate for the Security Department³⁵⁰, but going beyond the framework of crisis management. They prepare, among others the Świętokrzyskie Voivodeship operational plans, voivodeship plans for improvement of civil defence, voivodeship plan of preparation and use of medical entities for the defence needs of the state, and plans of local government bodies.³⁵¹ The Centre also runs the number 987 line – under which people in need and the homeless can get information about accommodation, heating, shelters in various categories, canteens, help Centres.

The practice of employing duty staff by the Voivodeship Crisis Management Centre manager indicates the preference for former officers of law-enforcement services. The reasons should be sought for both practical and economic issues. Former law-enforcement officers

³⁴⁶ Ibid.

³⁴⁷ The interview with the manager of Voivodeship Crisis Management Centre.

³⁴⁸ *Verdict of the Constitutional Court of April 21, 2009*, Dz.U. from 2009 No. 65, item 553 and *Verdict of the Constitutional Tribunal of July 3, 2012*, op. cit.

³⁴⁹ *Ordinance No. 3/2011 of January 20, 2011 on establishing the Regulations of the Voivodeship Centre...*, op. cit., § 9, point 4) 'developing processing, checking and transmitting information on emergency situations; 11) ensuring regular office support of the Office after office hours'.

³⁵⁰ Świętokrzyskie Voivode (2016) II, *Annex No. 1 to Regulation No. 62/2016 of June 1, 2016 regarding the regulation of the Świętokrzyskie Voivodeship Office...*, op. cit., p. 81.

³⁵¹ The interview with the manager of Voivodeship Crisis Management Centre.

have preliminary familiarity of the area, capabilities and resources of the voivodeship. This knowledge is particularly useful during trainings and in the case of the need to react quickly in a crisis situation. The discipline acquired during their service plays a large role. Especially in emergency situations, when the 12-hour duty service is changed to an 8-hour and 16-hour mode of operation.³⁵² Not without significance is the knowledge of communication systems, as well as the fact of collecting occupational pensions – which somehow compensate for the relatively low remuneration of the dispatcher.³⁵³

The work shift time is 12 hours: I shift: 7.30–19.30, II shift: 19.30–7.30. Duty shifts are in accordance with the schedule, which is set by the manager. A person completing the duty is obliged to provide information on his/her activities during the shift to the person taking over the duty. Additionally, this person should inform his replacement about received reports, notifications and tasks, as well as indicate how to handle unrealized matters.³⁵⁴ The second-shift service collects and analyses information provided by the media, services and administration, and prepares a daily report; sends daily information to the Government Centre for Security; prepares a paper version of daily information for archiving; sends the current report to the voivode, director of Voivodeship Security and Crisis Management Bureau and the manager of Voivodeship Crisis Management Centre.³⁵⁵

Reports are sent using CAR. If there are no phenomena necessary to record, the duty service sends an ‘empty’ report. It provides information about the absence of threats as well as confirms that the system works. Reports are created on the basis of media reports, hydrological and meteorological reports and information received from the services. Due to the lack of a statutory obligation to send information to the Voivodeship Crisis Management Centre by the services, personal contacts play an important role. The manager and the duty officers have an insight into

³⁵² *Ordinance No. 3/2011 of January 20, 2011 regarding the establishment of the Regulations of the Voivodeship Centre...*, op. cit., p. 5.

³⁵³ The interview with the manager of Voivodeship Crisis Management Centre.

³⁵⁴ *Ordinance No. 3/2011 of January 20, 2011 regarding the establishment of the Regulations of the Voivodeship Centre...*, op. cit., p. 5.

³⁵⁵ G. Sobolewski, *Organizacja i funkcjonowanie...*, op. cit., p. 63.

the functional persons of the Świętokrzyskie voivodeship.³⁵⁶ In the case of the failure of the SARNA system (Analysis and Reports System – Analytical Tool), the number of vacant beds in hospital the duty officers establish on the basis of direct contact with the hospital emergency room. The duty service also performs the office support service of the voivode and the Voivodeship Office on days off and after business hours. It usually concerns the reception of correspondence and communicating with the voivode in an emergency.³⁵⁷

Permanent duties of the dispatcher include: receiving a notification and launching the proper procedure. At the request of the supervisor, the Centre's employees carry out standard operating procedures appropriate to the crisis situation. Their catalogue was defined in the Voivodeship Crisis Management Plan for the Świętokrzyskie Voivodeship. The document classifies 13 generically different threats and 31 Standard Operating Procedures.³⁵⁸

Summarizing the findings, it should be noted that the Voivodeship Crisis Management Centre in Kielce operates primarily on the basis of the Act on Crisis Management and on the basis of two ordinances of the Świętokrzyskie Voivode No. 3/2011 and No. 62/2016. It has a wide technical and It has a wide technical and IT facilities as well as a not very extensive functional structure. It should be concluded, on the base of Voivodeship Crisis Management Centre regulations, that the Centre's functioning is grounded primarily on the actions of the manager and the duty service. The observation of the practice and interviews showed that the technical infrastructure – communication, information gathering and processing systems – not only improve the work of the Centre, but are also constitutive for its functioning. CAR, Popiel, Opal, GIS, hydrological and meteorological monitors – and other programs described – are the basic tools of the Centre's work.

In the course of the research, other conclusions were also made, as it turned out Voivodeship Crisis Management Centre is inextricably linked with other units of the Voivodeship Office. In matters requiring specialist

³⁵⁶ The interview with the manager of Voivodeship Crisis Management Centre.

³⁵⁷ The interview with the manager of Voivodeship Crisis Management Centre.

³⁵⁸ *Voivodeship Crisis Management Plan for the Świętokrzyskie Voivodeship*, April 28, 2016, pp. 37, 116, available at <http://czkw.kielce.uw.gov.pl/czk/wojewodzkie-centrum-zarz/wojewodzki-plan-zarzadzania> [access date: 12.08.2017].

knowledge, the Centre's manager uses, among others, employees of the Legal Department, Supervision and Control Department, or an IT unit. This relationship between the Office and the Centre is a feedback function. Voivodeship Crisis Management Centre performs a number of works – including office support – going beyond the framework of crisis management. This observation suggests insufficiency of personnel and functional staff number regarding the Centre's responsibilities. It seems, however, that this deduction can be extended to all levels of the crisis management system in Poland.

3.1.1. CRISIS MANAGEMENT AT POVIAT AND GMINA LEVEL

The administrative division of the Świętokrzyskie Voivodeship on the area of 11 708 km² concerns thirteen poviats, one city with poviat rights and 102 gminas.³⁵⁹ “Despite the relatively low level of social and economic development in the context of the country, the voivodeship positively stands out in the group of eastern voivodeships. At the same time, there is no accumulation of factors that may constitute a barrier to future development”³⁶⁰ claim the authors of the voivodeship's development strategy. The areas close to Vistula River and basins of the Kamienna and Nida rivers should be considered the most exposed to natural hazards. These are areas located in the poviats of Kazimierz, Busko, Staszów, Sandomierz, Opatów and Ostrowiec. Taking into account technical hazards on the base of a five-point hazard indicator illustrating the diversity of road categories, traffic volume, road transport of dangerous and especially dangerous goods, and the intensity of intervention of the SFS indicator, Busko poviat should be considered to be at the biggest risk.³⁶¹

³⁵⁹ *Voivodeship Crisis Management Plan for the Świętokrzyskie Voivodeship*, op. cit., p. 5.

³⁶⁰ *Resolution XXXIII/589/13 of Sejmik of the Świętokrzyskie Voivodeship of 16 July 2013 regarding the adoption of the update of the Development Strategy of the Świętokrzyskie Voivodeship until 2020*, p. 13, available at <http://www.2014-2020.rpo-swietokrzyskie.pl/dowiedz-sie-wiecej-o-programie/zapoznaj-sie-z-prawem-i-dokumentami/dokumenty-regionalne/item/153-strategia-rozwoju-wojewodztwa-swietokrzyskiego-do-roku-2020> [access date: 12.04.2020].

³⁶¹ M. Mazur, M. Pajak, M. Kłosiński, P. Klecha, *Koncepcja budowy i zastosowania infrastruktury danych przestrzennych w aspekcie planowania operacyjnego Państwowej Straży Pożarnej. Studium przypadku na przykładzie województwa świętokrzyskiego*, [in:] *Zarządzanie kryzysowe. Wybrane wyniki badań naukowych i prac rozwojowych*, D. Wróblewski (ed.), Józefów 2014, pp. 139–140.

Staroste as the body responsible for crisis management in the powiat performs his tasks with the help of his office. The organizational units responsible for crisis management are created within the Powiat Starosty. Most often these are single-person posts or Teams³⁶², and less frequently Offices.³⁶³ The powiat operates in accordance with the principle of gmina administration dominance in undertaking field activities in the event of crisis situations.³⁶⁴ The tasks of the powiat come down to the issue of cooperation with public administration bodies, supervision over gmina local governments, documentation and implementation of permanent duty tasks.³⁶⁵ Thus, the function of the crisis management Centre at county level is narrowed to maintain a 24-hour flow of information in the system.

The theoretical statement finds confirmation in practice. It is particularly evident in the activity of the powiat crisis management Centre. After office hours of the Starosty, powiat Centres – usually on the basis of an agreement with relevant services (e.g. Municipal or Powiat Fire Brigade Command) – assign to them the requirement of 24-hour duty.³⁶⁶ In other words, they limit their

³⁶² “The Starosty includes the following departments and independent units [...] Team for Crisis Management and Security” *Resolution No. V/19/07 of the Powiat Council in Kielce of 16 March 2007 on amendments to the organizational regulations of the Powiat Starosty in Kielce*, § 7, art. 1, point j, available at Powiat Unit. It is a structure within which there is 1,5 full-time job – a manager and junior inspector for crisis management. Information obtained on the basis of the interview with Beata Niebudek. Security and Crisis Management Team in Starachowice is composed of the Team Manager and the Chief Specialist who work full-time. *Post-inspection statement at the Powiat Starosty in Starachowice and the Brody Community Office and the Pawłów Gmina Office*, BZiK.IV.431.7.2015, p. 5.

³⁶³ *Resolution No. 362/2016 of the Powiat Board in Sandomierz of December 29, 2016 regarding the adoption of the Organizational Regulations of the Powiat Starosty in Sandomierz*, § 22, section 3, point 2, available at <http://sandomierz.bip.gmina.pl/upload/srz-reg-01.01.2017.pdf> [access date: 12.08.2017]. The Office of Crisis Management and Defence Matters was created within the Organizational Department, Civic Affairs and Health Care.

³⁶⁴ W. Kitler, *Zarządzanie bezpieczeństwem narodowym jako podstawa organizacji zarządzania kryzysowego*, [in:] *Zarządzanie kryzysowe w sytuacji klęski żywiołowej*, “Zeszyty Naukowe AON” 2006, No. 1(45), p. 53.

³⁶⁵ G. Sobolewski, *Organizacja i funkcjonowanie...*, op. cit., p. 81.

³⁶⁶ *Agreement No. 26 of November 2, 2015 concluded between: Powiat Starosty in Kielce and the Municipal Headquarters of the State Fire Service in Kielce*, § 1, available at <https://bip.powiat.kielce.pl/umowy-porozumienia/index> [access date: 12.08.2017] and *Annex to Regulation No. 152/2015 Kielce Staroste of November 6, 2015. Organizational Regulations of the Powiat Crisis Management Centre*, p. 4, documents available at the Powiat Starosty in Kielce. Similarly, in Sandomierz between 15.00 and 7.00 am, the permanent duty is administered by the Powiat

activities to the basic but at the same time constitutive function – ensuring the flow of information in the crisis management system. Although the law on crisis management imposes a wider catalogue of tasks on voivodeship Centres, among others supervision of detection and alert systems as well as early warning of the population; cooperation with specialized services³⁶⁷, but the provision of round-the-clock duties should still be considered as the core task of the Centre. The flow of information takes place not only by providing telephone communication, but also by means of the CAR application. The program unifies the flow of reports between poviats, the Voivodeship Centre for Crisis Management and the Government Centre for Security. Not all poviats use CAR which was indicated by Government Centre for Security.³⁶⁸ Starachowice, Jędrzejów, Opatów, Busko Zdrój, Kazimierza Wielka, Końskie, Skarżysko Kamienna are examples of starosties in the Świętokrzyskie voivodeship using the application.³⁶⁹

Poviat starosties use a wired communication system, electronic mail and mobile telephony, as well as a radiotelephone network (based on Motorola radios, mainly GM 360). They also use the SMS notification application – SISMS.pl. In emergency situations, faxes are accepted on a regular basis. Unlike Voivodeship Crisis Management Centre, the poviat does not start DSP sirens alone. This task is carried out by the Poviat Headquarters of the

Headquarters of the State Fire Service, available at <http://www.powiat.sandomierz.pl/dane-kontaktowe.html> [access date: 04.04.2017].

³⁶⁷ *The Act of April 26, 2007 on Crisis Management*, op. cit., art. 17, section 2.

³⁶⁸ J. Kuraś, *Samorządowcy nie używają aplikacji dot. sytuacji kryzysowych*, [in:] "Rzeczpospolita" 2014, February 4.

³⁶⁹ *Post-inspection statement at the Poviat Starosty in Starachowice and the Gmina Office of Brody and the Pawłów Gmina Office*, BiZK.IV.431.7.2015, p. 3 as well as the *Post-inspection statement at the Poviat Starosty in Jędrzejów and at the Town Office in Jędrzejów and the Town Office in Sędziszów*, BiZK.IV.431.2.2017, p. 3; *Post-inspection statement at Poviat Starosty in Opatów and in the Gmina Office of Wojciechowice and the Municipal Office in Tarłów*, BiZK.IV.431.3.2015, p. 3; *Post-inspection statement in Poviat Starosty in Busko-Zdrój and the Gmina Office of Nowy Korczyn and the Gmina Office in Pacanów*, BiZK.IV.431.1, January 2017, p. 3; *Post-inspection statement in the Poviat Starosty in Kazimierza Wielka and the Office of the Town and Gmina of Kazimierza Wielka and the Office of the Bejsce Gmina*, BiZK.IV.431.5.2014, p. 3; *Post-inspection statement in Poviat Starosty in Końskie and at the Town and Gmina Office of Końskie and at the Town Office of Stąporków*, BiZK.IV.431.15.2013, p. 3; *Post-inspection statement in the Poviat Starosty in Skarżysko-Kamienna and the Town Office of Skarżysko-Kamienna and the Gmina Office of Skarżysko Kościelne*, BiZK.IV.431.8.2014, p. 3.

State Fire Service.³⁷⁰ There is one city in Świętokrzyskie Voivodeship with powiat rights – Kielce. A city with powiat rights is a gmina performing tasks of a powiat on the terms specified in the Act.³⁷¹ The proper body in crisis management in a city with powiat rights is the Mayor of the City, who performs tasks with the help of the powiat crisis management team.³⁷² Pursuant to the Act on Crisis Management, the powiat – and therefore the city with powiat rights – should ensure 24-hour flow of information in the system. So far, this obligation has been met by signing an agreement with the Municipal Headquarters of the State Fire Service. This solution has some deviations. The Powiat Crisis Management Centre of the Staroste of Poznań independently provides 24-hour shifts.³⁷³ In the voivodeship, among 102 gminas, only two gminas – Samborzec and Skarżysko-Kamienna run structured crisis

³⁷⁰ *Post-inspection statement at Powiat Starosty in Opatów and in the Gmina Office of Wojciechowice and the Municipal Office in Tarłów*, BiZK.IV.431.3.2015, p. 2.

³⁷¹ *The Act of 5 June 1998 on powiat self-government*, op. cit., item 1868, art. 92, section 2.

³⁷² *Ordinance No. 368/2009 of the Mayor of Kielce of October 29, 2009 regarding the appointment of the Powiat Crisis Management Team*, available at <http://www.bip.kielce.eu/documents/1036567/2767105/Zarz%C4%85dzenie+Prezydenta+PZZK.docx> [access date: 04.04.2017].

³⁷³ Various Starosties organize centres in various ways. In the Powiat of Pruszków, Powiat Crisis Management Centre operates on the basis of the Powiat Headquarters of the State Fire Service. The composition of the manager's position has been increased from the number of three officers on duty to four people – the fourth is an employee of the staroste serving number 112 – working during the office of the Starosty. The Centre thus established remains in close cooperation with the Starosty's organizational unit, i.e. Crisis Management Team – 4 persons (manager, chief crisis management specialist, chief safety and public order specialist, service employee No. 112). In the Poznań powiat, after working hours and on non-working days, the flow of information for the needs of crisis management, including alerting members of the Crisis Management Team of the Poznań Powiat [...] provides employees of the Security and Crisis Management Department. *The ordinances of Poznań Staroste No. 45/2015 of 22 April 2015*, § 5, available at <https://www.bip.powiat.poznan.pl/plik,19673,45-pdf.pdf> [access date: 04.04.2017]. The Powiat Crisis Management Centre of the City of Krakow operates within the framework of the Integrated Crisis and Rescue Management Centre in the building of the Municipal Headquarters of the State Fire Service. The employees of the Security and Crisis Management Department of the City of Krakow are on a 24-hour duty. Powiat Crisis Management Centre prepares daily reports on the state of security for the Mayor of the City of Krakow. *Regulation No. 664/205 of the Mayor of the City of Krakow of 25/03/2015 regarding the appointment of the Crisis Management Team of the City of Krakow*, § 12, available at https://www.bip.krakow.pl/zarzadzenie/2015/664/w_sprawie_powolania_Zespolu_Zarzadzania_Kryzysowego_Miasta_Krakowa.html [access date: 04.04.2017].

management Centres. They have their own premises³⁷⁴ – which is analogous to the voivodeship crisis management Centre – it allows to work without interruption from the office's petitioners. The crisis management Centre in Skarżysko Kamienna was established on the premises and partly employing the personnel of closed down institution of city guards.³⁷⁵ The 24-hour duty is based on a six full-time posts of the Municipal Monitoring Operator³⁷⁶, in other words, on the technical post taken over from the liquidated City Guard concerning the city monitoring.³⁷⁷ In addition to statutory duties, the Centre also received tasks that go beyond the scope of crisis management. It is responsible for, among others, securing crime and catastrophe scenes or other event having the characteristics of an emergency situation against access by third parties. It conducts activities resulting from the general defence duty of the Republic of Poland. It also cares for the prevention of city residents' safety. It is a Centre that operates continuously. The other crisis management Centres in the voivodeship have short-term tasks. It means that they are initiated when the crisis situation occurs or in the case of anticipated

³⁷⁴ The seat of the Gmina Centre for Crisis Management (GCZK) in Samborzec are rooms No. 1 and 15, located on the first floor of the Gmina Office building in Samborzec.

³⁷⁵ *Resolution No. VIII/59/2015 of the City Council of Skarżysko-Kamienna dated 23 April 2015 regarding the liquidation of the Municipal Police in Skarżysko-Kamienna* available at City Unit as well as information obtained during the interview with the employees of the Office of Security and Crisis Management of the Town Hall of Skarżysko-Kamienna.

³⁷⁶ In February 2015, the previous Department of Crisis Management and Defence Matters was transformed into the Organization Department of the Security and Crisis Management Office. After the liquidation of the Municipal Guard in Skarżysko-Kamienna, a Monitoring Service post was established within the Office – initially it included 5 people. In 2016, the number of posts increased to six. Cf. *Ordinance of the President of the City No. 39/2014 – crisis management in the city of Skarżysko-Kamienna from 18 February 2014 on crisis management in the city of Skarżysko-Kamienna*, § 3, section 8 available at <http://bip.skarzysko.pl/zarzadzenia/25> [access date: 07.06.2017] with *Ordinance of the Mayor of the City No. 54/2015 of 25/02/2015 regarding the Organizational Regulations of the City Hall in Skarżysko-Kamienna*, §40 and *Ordinance of the President of the City No. 329/2015 – amendment of Regulation No. 54/2015 of 25 February 2015 on the Organizational Regulations*, § 4, available at <http://bip.skarzysko.pl/zarzadzenia/25> [access date: 07.06.2017] and *Ordinance of the Mayor of the City No. 141/2017 of 26/05/2017 regarding the change of the Organizational Regulations of the City Hall in Skarżysko-Kamienna*, §1, section 21. All documents available at <http://bip.skarzysko.pl/zarzadzenia/25> [access date: 07.06.2017].

³⁷⁷ *Ordinance of the Mayor of Skarżysko-Kamienna No. 335/2015 – Instructions for using the Municipal Monitoring Centre*, available at <http://www.umskarzysko.bip.doc.pl/index.php?wiad=18532&t=1> [access date: 07.06.2017].

threat. Gmina Centres initiated in this way differ in the way of organization, the structure of posts, tasks and equipment.

The Gmina of Samborzec was the only one in the voivodeship which imposed a separate organizational regulation of the Centre. The gmina of Opatowiec, although it has the regulations of the Centre, but it is a small – because it contains only one paragraph – element of the regulations of the Gmina Crisis Management Team in Opatowiec. The Centre is managed by the Voigt of the gmina with the help of a Civil Defence Specialist. According to the regulations, Gmina Crisis Management Centre implements tasks resulting from preventive and preparatory programs for activities reducing or eliminating the probability of a natural disaster or limiting its consequences. The Centre works on a 24/7 basis. Its tasks include: managing detection and alarm systems and the system of early warning of the population; cooperation with the Poviats Crisis Management Centre and with the Centres of neighbouring gminas and other rescue entities; cooperation with entities which carry out environmental monitoring; cooperation with entities carrying out rescue, search and humanitarian operations. Implementation of permanent duty tasks for the purposes of increasing the defence readiness of the State.³⁷⁸

The Crisis Management Centre in Samborzec “is developed during the flood alarm period in the Samborzec Gmina, after receiving information about the possibility of a real and serious crisis event endangering property, life or health of residents.”³⁷⁹ The structure of the Centre consists of the Centre manager, the post held by the deputy Voigt; deputy manager, i.e. an employee for crisis management and fire protection and duty officers – selected employees of the Samborzec Gmina Office and organizational

³⁷⁸ *Ordinance of the Voigt of the Opatowiec Gmina No. 57/2011 of May 31, 2011 regarding the appointment of the Communal Crisis Management Team in Opatowiec*, § 9, available at <http://bip.gminy.com.pl/opatowiec/pliki/z57-2011.pdf> [access date: 08.06.2017].

³⁷⁹ *Annex No. 2 to Regulation No. 100/2016 of the Voigt of the Samborzec Gmina of June 22, 2016. Regulations of the Gmina Crisis Management Centre in Samborzec*, available at https://www.google.com/search?q=Zarz%C4%85dzenie+Nr+100%2F2016+W%C3%B3jta+Gminy+Samborzec+z+dnia+22+czerwca+2016+r.+Regulamin+Gminnego+Centrum+Zarz%C4%85dzania+Kryzysowego+w+Samborcu&rlz=1C1AVFA_enPL779PL779&oeq=Zarz%C4%85dzenie+Nr+100%2F2016+W%C3%B3jta+Gminy+Samborzec+z+dnia+22+czerwca+2016+r.+Regulamin+Gminnego+Centrum+Zarz%C4%85dzania+Kryzysowego+w+Samborcu&aqs=chrome..69i57&sourceid=chrome&ie=UTF-8# [access date: 08.06.2017].

units of the Office.³⁸⁰ In the event of a crisis situation, information from all monitoring institutions is obligatory forwarded to the Municipal Crisis Management Centre. The Centre is a unit coordinating the tasks carried out in the gmina. In addition, it maintains permanent communication with the powiat and voivodeship crisis management Centres.³⁸¹ The Gmina Centre for Crisis Management in Samborzec uses: 1) a radio communication system; 2) a wired and wireless communication system; 3) an e-mail communication; 4) an alarm and warning system using text messages and electronic sirens;. Technical means include: 1) a telephone switchboard 2) computers; 3) faxes; 4) landline and mobile telephones; 5) a radiotelephone for radio communication in the Voivode's management network; 6) a radiotelephone for radio communication in the system of managing the activities of fire brigade units performed by the member of the TSO on duty or a representative of the State Fire Service; 7) a personal radio for wireless communication; 8) a computer system to alert and warn the population by means of SMS messages; 9) a computer system to alert and warn the population using electronic sirens.³⁸²

In accordance with the amended law on assemblies, the organizer of the assembly "notifies about the intention of organizing the assembly the relevant gmina (municipal) crisis management Centre, and if in a given gmina it has not been established – the voivodeship crisis management Centre."³⁸³ Most likely, the new legal obligation should be associated with the increasingly frequent use of the definition of a crisis management Centre by the gminas. Sometimes a contact to the crisis management Centre is placed on the websites of local governments. Examples of this practice can be found in the municipalities of: Bliżyn, Sędziszów, Koprzywnica.³⁸⁴ These

³⁸⁰ Ibid., §1 and 4, section 1.

³⁸¹ *Gmina Crisis Management Plan, Samborzec 2012*, pp. 55, 112, available at http://www.samborzec.pl/asp/pliki/zarzadzanie_kryzysowe/plan_zarzadzania_kryzysowego_2015.pdf [access date: 08.06.2017].

³⁸² *Annex No. 2 to Regulation No. 100/2016 of the Voigt of the Samborzec Gmina of June 22, 2016...*, op. cit., §18.

³⁸³ *Act of 24 July 2015 Law on Assemblies*, Dz.U. from 2018, item 408, art. 22, section 1.

³⁸⁴ Cf. <http://www.blizyn.pl/telefony-alarmowe> [access date: 06.06.2017]; <http://www.sedziszow.pl/?c=mdTresc-cmPokaz-254> [access date: 06.06.2017]; http://www.koprzywnica.eu/asp/pl_start.asp?typ=14&menu=96&strona=1 [access date: 06.06.2017] with *Annex No. 2 to Ordinance No. 44/2013 of the Mayor of Town and Gmina Koprzywnica of October 23,*

are single-person posts of crisis management specialists or inspectors, operating within the office's working hours. The gmina of Sędziszów is an exception, where an on-call mobile phone service was activated assigned to an office employee. This type of solution allows for 24/7 contact with the person responsible for management in the gmina. Additionally, at the request of the Mayor, the crisis management Centre may be developed, which means supplementing the personnel with the office's functional employees, launching the duties system, and providing them with 24-hour operating conditions. A similar solution operates in the Dwikozy gmina.³⁸⁵ The post for defence, civil defence and crisis management is a part of the Organizational Office. Organizational regulations of the gmina for the time of crisis and war impose on the Office the obligation to organize round-the-clock duties to ensure the flow of information.³⁸⁶ Thus, the basic function of the Centre – a 24-hour duty – is carried out by the employees of the Office.

A common way of organizing a crisis management Centre in the gmina is to assign the municipal crisis management team the functions reserved for the Centre.³⁸⁷ It is a solution introduced in case of emergencies or crisis

2013 *Organizational Regulations of the Office of Koprzywnica*, § 15, available at <http://www.koprzywnica.bip.gmina.pl/upload/Nr%202.doc> [access date: 06.06.2017]. As part of the Civic Affairs Department, there is a position for administrative services, business operations, defence matters, crisis management and civil defence. *Annex No. 1 to Ordinance No. 3/2010 of January 15, 2010 Mayor of the Town and Gmina Sędziszów. Organization and rules of the Office's operation*, § 17, available at <https://bip.sedziszow.pl/?c=mdPliki-cmPobierz-3980-WmFyemFkemVuaWVfTnJfMyOyMDEwLnBkZg==> [access date: 06.06.2017]. "Independent Job Positions are directly subordinated to the Mayor. 1. Chief Specialist in Crisis Management and Civil Defence – 1 full-time job." In the Bliżyn gmina, the issues of crisis management were assigned exclusively to the duties of all the departments and independent positions of the office. *Regulation No. 0050.11.2013 of The Voigt of the Bliżyn gmina of 25 March 2013 Organizational Regulations of the Bliżyn Gmina Office*, § 21, available at <http://bip.kielce.uw.gov.pl/download/2/14099/WystapieniepokontrolneBlizyn.pdf> [access date: 06.06.2017].

³⁸⁵ The Centre is open 24 hours a day in the event of a flood. Available at <http://www.dwikozy.gmina.pl/ochotnicza-straz-pozarna-i-zarzadzanie-kryzysowe/wytyczne-dla-mieszkancow-w-sytuacji-zagrozenia-powodziowego> [access date: 08.06.2017].

³⁸⁶ *Ordinance No. I 120.01.2013 of the Dwikozy Gmina Voigt of January 14, 2013 on establishing the Organizational Regulations of the Gmina Office in Dwikozy for the time of an external threat to the state security, crisis and during the war*, § 12, section 25, available at <http://www.dwikozy.bip.gmina.pl/upload/zwn120012013.pdf> [access date: 06.06.2017].

³⁸⁷ I would like to remind that the centre's tasks include: 1) performing a 24-hour in order to provide information flow for the purposes of crisis management; 2) cooperating with crisis management centres of public administration authorities; 3) supervising over the

situations. For example, working groups of a permanent nature are the Municipal Management Centre, whose headquarters is the Gmina Office in Bliżyn – claim the regulations of the crisis management team of gmina Bliżyn.³⁸⁸ “During the occurrence of extraordinary threats during the reaction, the Team [...] immediately commences operations in the Gmina Emergency Management Centre in the composition appointed by the Voivode of the Gmina Nowy Korczyn.”³⁸⁹ On the other hand, in the gmina of Skalmierz “for the duration of the first stage evacuation, there is a permanent duty initiated performing the responsibilities of the Communal Crisis Management Centre, which supervises the efficient flow of information and notifies members of the Gmina Crisis Management Team.”³⁹⁰ Some gminas do not explicitly define activities performed by members of the Team as the function of the crisis management Centre. However, they attribute functions reserved for the Centre to its member. The tasks of the monitoring group of the Municipal Crisis Management Team of the Town and Gmina of Koprzywnica include, among others: providing 24-hour duties by the members of the municipal

functioning of the warning and detection system and the early warning system for the population; 4) cooperating with the entities that carry out the monitoring of the environment; 5) cooperating with the entities that perform the rescue, search and humanitarian operations; 6) documenting the activities of the centre; 7) performing the tasks of permanent duty in order to increase the state's defence readiness. At the same time, the Team's tasks include: 1) assessment of existing and potential threats that may have an impact on public safety and forecasting of these threats; 2) preparing proposals of activities and presenting the voivode with proposals regarding the implementation, modification or omission of measures included in the voivodeship crisis management plan; 3) publishing information related to threats to the public; 4) issuing opinions on the voivodeship crisis management plan. *The Act of April 26, 2007 on Crisis Management*, op. cit., art. 8, 16.

³⁸⁸ Ordinance No. 10/10 of March 8, 2010, the Voivode of Gmina Bliżyn – regarding the appointment of the Gmina Crisis Management Team and defining the manner of its functioning, § 5, available at <https://www.ugblizyn.bip.doc.pl/index.php?wiad=13270&t=1> [access date: 08.06.2017].

³⁸⁹ Annex No. 1 to Ordinance No. 6/2101 of the Voivode of Gmina Nowy Korczyn from 17 February 2012 – regarding the establishment of a Management Team. Organizational regulations of the Gmina Crisis Management Team, § 2, section 3, available at http://webcache.googleusercontent.com/search?q=cache:46IDxgezHYcJ:bip.nowykorczyn.pl/pliki/regulamin_czerwiec_2016.pdf+&cd=1&hl=pl&ct=clnk&gl=pl [access date: 08.06.2017].

³⁹⁰ Annex No. 1 to Ordinance No. 236/2009 of the Mayor of the Town and Gmina Skalmierz of June 16, 2009. Guidelines for conducting evacuation in the case when the first stage evacuation is ordered by the body managing the rescue operation in a situation of mass threat, point 5, available at http://www.skalmierz.eobip.pl/bip_skalmierz/redir.jsp?place=galleryStats&id=7985 [access date: 08.06.2017].

team if necessary; risk forecasting and drawing up of procedures for their elimination or limiting the consequences; supervision of the warning and alarm system' or cooperation with institutions monitoring the state of the environment, permanent contact with the Poviát and Voivodeship Centre for Crisis Management, creation and archiving of reports.³⁹¹ A similar solution was introduced by the Stopnica Gmina.³⁹² The Wilczyce Gmina, on the other hand, assigned to the Crisis Management Team tasks in the scope of the Centre's activities, but did not impose on the 24-hour duties.³⁹³ Thus, without the constitutive feature of the Centre it cannot be said about implementing this type of unit in this case.

It should be recognised that the location of authorities responsible for crisis management in Poland implements the principle of hexagonal division, characteristic of Central Place Theory. The territorial division of the country was based on 16 voivodships with a parity of approximately 500 000 + up to 3 500 000 people. The voivodships were divided into districts with similar parity of people to 10 000 + 100 000 and gminas to 2000 + 11 000). It was assumed that the final border of access to central goods should be 10 000 + 100 000 people (gminas are not obliged to run crisis management centres). The substantive services were distributed in accordance with the allocation of crisis management centres, in accordance with the hierarchical division of local administration. The necessity to establish crisis management centres in some communes in budget establishments proves the necessity to change the parity of determining the border of access to content-related support in the crisis management system. In addition, material support

³⁹¹ Annex No. 3 to Ordinance No. 12/2016 of the Mayor of the Town and Gmina Koprzywnica of March 23, 2016. The regulations of works of the Gmina Crisis Management Team in the event of a flood occurring within the Gmina Koprzywnica, points 2.1, 10, 11, available at <http://koprzywnica.bip.gmina.pl/upload> [access date: 08.06.2017].

³⁹² One of the tasks is to "secure the process of constant, 24-hour information exchange in the area of threats and undertaken (have already been taken) actions and cooperation with services (teams) of other public administration bodies, ministries, non-governmental and social organizations." Annex to ordinance No. 19/2008, the Voít of Gmina Stopnica, dated May 16, 2008. Regulations of the work of the Gmina Crisis Management Team, § 3, section 3, point d, available at <http://stopnica.pl/bip/drukuj.php?id=1151> [access date: 08.06.2017].

³⁹³ Annex No. 1 to ordinance No. 30/2015 of the Voít of Gmina Wilczyce of May 12, 2015. Regulations of the Gmina Crisis Management Team, § 6, available at <http://www.bip.wilczyce.pl/upload/zarz302015.pdf> [access date: 08.06.2017].

should be located at the upper limit of access to the central good. The point is that civil protection and crisis management warehouses should be located in a hexagonal arrangement of access distances. Such a solution would ensure that, in the event of a crisis, every peripheral centre could be supplied with the necessary equipment. The current location of equipment warehouses in territorial units threatened by floods does not meet the parity of access to central goods. The voivodeship has between a few and a dozen flood protection warehouses (e.g. the Świętokrzyskie Voivodeship has 9 warehouses). In addition, their location is asymmetrical and their access borders do not guarantee coverage of the needs of all peripheral centers. This type of situation gives rise to threats to the centers beyond the range of the designated access limit.

3.2. COMPETENCE SYSTEM OF TERRITORIAL STRUCTURES IN THE CONDITIONS OF CRISES SITUATIONS – PRAGMATIC SCOPE

Pragmatics of the crisis management system in Poland indicates that the effectiveness of its operation depends on the way in which powers are assigned to particular entities. Clear separation and definition of tasks translates into effectiveness of both rescue and preventive actions. Basically, the division of powers should be considered in the vertical system – which is consistent with the territorial division of the country into particular levels of government and local government administration – and in the horizontal system, which concerns cooperation between entities at the same level of administration.

In this way, the vertical division of competences is carried out in accordance with that what in the literature referred to as the principles of crisis management. “The principle of the primacy of one-person management is adopted, which consists in entrusting decision-making powers to one-person bodies. Such bodies are: a commune head (mayor), a starost, a voivode and a prime minister. The principle of universality obliges all state authorities to participate in anti-crisis measures, each according to its legal and organizational status. The principle of unification, according to which general administration bodies (mayor, starost and voivode) are given authority – in accordance with the principles set forth in the Acts – over all other forms of administration, both unified and nonunified. The principle

of the primacy of the territorial system, which determines that the basis for the operation of the authorities is the territorial division of the state.”³⁹⁴ Remaining on the basis of the principles – in the area of theoretical solutions – in order to systematize knowledge, the process of crisis management was divided into phases: prevention, planning, response and reconstruction.³⁹⁵ In the Polish system, the competence to act of public administration bodies is divided into those concerning the first two and the last two phases. Prevention and especially planning are the activities assigned with the strongest intensity to the higher levels of the crisis management system. Reaction and reconstruction is largely the responsibility of the self-government administration.

The practice of implementing the above described principles boils down to the observation that the entire burden of field activities rests on gminas, that mean the lowest level of self-government administration. During a crisis situation, higher levels of administration most often play a coordinating and supporting role. From the pragmatic point of view, it is justified to deploy competences for action. In accordance with the territorial or functional (in the case of ministries) division of duties, actions are taken by the body within whose territorial (or functional) jurisdiction the threat has occurred. For example, a crisis situation involving several communes requires action to be taken by poviát authorities. A threat affecting more than one poviát requires action at the voivodeship level. The danger concerning the area of more than one province requires ministerial intervention. Thus, the territorial scope of the threat first and foremost determines the authority to counteract it. Another issue in favour of this type of distribution of competences for action is the assumption that the quickest capability of acting – and thus the most effective – have the bodies closest to the threat. Thus, by their very nature, any threats to the territory will be borne by the lowest (with the smallest territorial scope) levels of public authority. Proximity to the threat, knowledge of the topography and specificity of the area, the possibility of quick intervention and current observation of the development of the situation, are among many factors that speak in favour of the described method of allocation of competencies

³⁹⁴ J. Gryz, W. Kitler (eds.), *System reagowania kryzysowego*, Toruń 2007, s. 203.

³⁹⁵ R. Grodzki, *Zarządzanie kryzysowe*, Warszawa 2012, s. 41.

in the crisis management system. Additionally, attention should be paid to the human resources of units responsible for crisis management at the level of communes, poviats and voivodships. They are insufficient to enable higher levels of public administration (poviats, voivodships) to support gminas' activities with personnel in the event of a threat. The poviat and voivodeship administrations are entitled to use the assistance of combined and non-composite administration bodies. Central authorities (ministries, heads of central offices, the Prime Minister) have the power to decide on the activities of their subordinate units, including assistance in crisis response.

These are elements that reveal the need for proper organisation of horizontal cooperation between public administration bodies and other entities of the crisis management system, especially at municipal level.

Currently, for each crisis situation in Poland, the leading and supporting entities have been identified. Such divisions operate at each level of public administration. The leading entity is a public administration body which, due to its competence, is the most appropriate to control the threat. Once again, the pragmatics of crisis management system functioning was the determining factor in this type of solution. The specific nature of the threat forces to entrust the decision-making role – the leading role – to bodies that have appropriate powers, but also knowledge in a given scope. For example, representatives of local government administration do not have specialized knowledge in the field of preventing biological infections or radiation contamination. In the case of such threats, the leading role has been entrusted to the State Poviat Sanitary Inspectorate or the State Atomic Energy Agency. The aim of the leading entity is to monitor threats, initiate actions and coordinate projects. The Cooperating Entity is a body “equivalent or inferior to the Lead Entity, not subordinate to it in terms of service, which, because of its legal competence, supports the Lead Entity’s efforts to prevent the escalation of the threat and to initiate reconstruction.”³⁹⁶ The full catalogue of entities participating in crisis management – possible leading and supporting bodies – is presented in the last chapter of the book.

³⁹⁶ *National Crisis Management Plan*, 2019, p. 4, available at <https://www.gov.pl/web/rcb/krajowy-plan-zarzadzania-kryzysowego> [access date: 07.06.2021].

Lead actors may also request support from institutions not included in the safety nets, provided that their capacity is necessary to deal with a crisis situation.

In the Polish crisis management system, the competences of the various cooperating bodies have been regulated by grouping them in so-called catalogues, task modules and standard operating procedures.

A catalogue is a set of task modules. It is assigned to: the respective minister in charge of the government department; the head of the central office of a voivode or other institution. The catalogue thus indicates a specific governmental administration body.³⁹⁷ Catalogues are, in other words, the names of institutions in numerical form (expressed in Roman numerals). Task modules are in turn numbers defining specific tasks of a given institution during a crisis situation. Modules denote the tasks of individual institutions, thus they differ from standard operating procedures, which are a record of the sequence of tasks performed by more than one entity responsible for responding in crisis situations. In other words,

³⁹⁷ Catalogue I – tasks of each minister and head of central office, Catalogue II – minister in charge of public administration, Catalogue III – minister in charge of construction, Catalogue IV – minister in charge of budget, Catalogue V – minister in charge of energy, Catalogue VI – minister in charge of public finance, Catalogue VII – minister in charge of economy, Catalogue VIII – minister in charge of maritime economy, Catalogue IX – minister in charge of water management, Catalogue X – minister in charge of maritime economy, Catalogue X – minister in charge of energy, Catalogue VI – minister in charge of public finance, Catalogue VII – minister in charge of economy, Catalogue VIII – minister in charge of maritime economy, Catalogue IX – minister in charge of maritime economy, Catalogue X – minister in charge of water management, Catalogue X – minister in charge of maritime affairs for informatization, Catalogue XI – minister in charge of culture and national heritage protection, Catalogue XII – minister in charge of physical culture, Catalogue XII – minister in charge of communications, Catalogue XIV – minister in charge of national defence, Catalogue XV – minister in charge of education, Catalogue XVI – minister in charge of labour, Catalogue XVII – minister in charge of social security, Catalogue XVIII – minister in charge of agriculture, Catalogue XIX – minister in charge of rural development, Catalog XX – minister in charge of agricultural markets, Catalog XXI – minister in charge of fisheries, Catalog XXII – minister in charge of justice, Catalog XXIII – minister in charge of higher education and science, Catalog XXIV – minister in charge of transport, Catalog XXV – minister in charge of transport environment, Catalog XXVI – minister in charge of internal affairs, Catalog XXVII – minister in charge of foreign affairs, Catalog XXVIII – minister in charge of health, Catalog XXIX – minister in charge of inland navigation, Catalog XXX – Head of the Internal Security Agency Catalog, XXXI – Head of the Intelligence Agency Catalog, XXXII – Director of the CB Catalog, XXXIII – Prime Minister, Catalog XXXIV – voivodes.

catalogues indicate institutions, task modules define the activities of one institution, procedures define the activities – cooperation – of more than one institution.

In the Polish crisis management system, catalogues, task modules and procedures function at the central and departmental level. Lower levels of the system: voivodeship, poviast and commune use procedures in crisis management plans, rarely use modules in planning documents. The system also specifies the procedures depending on the authority and needs of territorial administration bodies. What is most important, however, is that the described solution for the division of tasks, or rather their systematics, is aimed at introducing planning universalism in the crisis management system. "The essence of the modules is their universality – the same module can be used for various threats, e.g. the module «Ensuring sanitary and epidemiological safety in the country» can be used both in the event of flood, epidemic and terrorist event"³⁹⁸ – sounds the explanations of the Government Security Centre. The current National Crisis Management Plan provides modules for 34 institutions (catalogues). Additionally, each institution – a catalogue – is obliged to prepare its own task modules in its own crisis management plans. In case of a crisis situation, institutions are launched (action catalogues). For example, in a crisis situation such as a flood, catalogues are assigned to: ministers competent to the ministry of finance, ministers responsible for internal affairs, public administration, health, transport. Specific modules from a given catalogue are launched by the competent minister in consultation with the leading entity. Each of the entities responsible for its catalogue must prepare the modules assigned to it (according to the template included in the National Crisis Management Plan). In other words, each minister and central body indicated in the catalogue is obliged to prepare a description of the ways of performing their own tasks within the framework of crisis response.

Each of task module must contain a description of: the purpose of the task, conditions for operationalisation of the task, a list of projects to be implemented, a description of the sequence of tasks to be implemented,

³⁹⁸ <https://rcb.gov.pl/krajowy-plan-zarzadzania-kryzysowego/> [access date: 08.06.2017].

a description of the need for possible support, indication of sources of financing for the task implementation, legal basis.³⁹⁹

The universality of the solution is also visible in the face of threats that have not been taken into account as potential crisis situations. For example, on the territory of Poland no threats related to strong earthquakes are expected. In the case of such an event, however, it is possible to use task modules of catalogues (institutions) responsible for medical care, communications or procedures for removing the effects of building disasters. Therefore, it is not required to prepare procedures for each hazard category separately. The authorities of the lower-level public administration system may adapt the higher-level procedures to their own needs. An example of such actions can be procedures in the scope of: information exchange, strengthening of duty services, informing functionaries, the mode of convening a crisis management team, or the mode of introducing emergency states. In order to illustrate the functionality of the adopted solution, the following table presents the threats together with the assigned catalogues. It should be remembered – as it has already been explained – that the catalogues are divided into task modules. The National Crisis Management Plan provides modules, which are additionally complemented by task modules prepared in the crisis management plans of individual institutions involved in crisis management. Thus, the table shows the forecasting potential of the system in preparations for action in crisis situations. Once again, however, it should be emphasized that the list of universal modules is not a closed set. It should be supplemented by modules prepared by individual entities of the Polish crisis management system.

Tab. 4. Summary of risks and associated catalogues

Nb	Threat	Catalog
1.	flood	II; III; IV; V; VII; IX; X; XI; XII; XIII; XIV; XV; XVI; XVII; XVIII; XIX; XX; XXII; XXIII; XXIV; XXV; XXVI; XXVIII; XXIX; XXXII; XXXIII; XXXIV
2.	epidemics	II; IV; V; XIV; XXII; XXIII; XXIV; XXV; XXVI; XXVIII; XXXII; XXXIII; XXXIV
3.	chemical contamination on land	II; IV; IX; XI; XIV; XXI; XXII; XXIII; XXIV; XXV; XXVI; XXVIII; XXIX; XXXII; XXXIII; XXXIV

³⁹⁹ *Guide to the National Crisis Management Plan*, 2019, pp. 14–15, available at <https://www.gov.pl/web/rcb/krajowy-plan-zarzadzania-kryzysowego> [access date: 07.06.2021].

Nb	Threat	Catalog
4.	chemical contamination at sea	II; IV; VIII; IX; XIV; XXI; XXII; XXV; XXVI; XXVIII; XXXII; XXXIII; XXXIV
5.	threats to telecommunications systems	II; IV; X; XIV; XXII; XXIII; XXVI; XXVIII; XXXII; XXXIII; XXXIV
6.	interference in the power system	II; IV; V; IX; XXII; XXIII; XXVI; XXVIII; XXXII; XXXIII; XXXIV
7.	interference in the fuel system	II; IV; V; XIII; XXII; XXIII; XXVI; XXVIII; XXXII; XXXIII; XXXIV
8.	disturbances in the gas system	II; IV; V; XXII; XXIII; XXXII; XXXIII; XXXIV
9.	strong frosts and snowfalls	II; III; IV; V; IX; X; XI; XII; XIII; XIV; XV; XVII; XVIII; XIX; XX; XXIII; XXIV; XXV; XXVI; XXVIII; XXIX; XXXII; XXXIII; XXXIV
10.	hurricanes	II; III; IV; V; IX; X; XI; XII; XIII; XIV; XV; XVII; XVIII; XIX; XX; XXIII; XXIV; XXV; XXVI; XXVIII; XXXII; XXXIII; XXXIV
11.	forest fires	II; IV; IX; X; XI; XII; XIX; XX; XXII; XXIII; XXIV; XXV; XXVI; XXVIII; XXXII; XXXIII; XXXIV
12.	epizootic diseases	II; IV; V; VI; XIV; XVIII; XIX; XX; XXIII; XXIV; XXV; XXVI; XXVIII; XXXII; XXXIII; XXXIV
13.	epiphytes	II; IV; VI; XVIII; XIX; XX; XXIII; XXVI; XXXII; XXXIII; XXXIV
14.	catastrophes at sea and on land	II; IV; VIII; IX; X; XII; XIII; XIV; XVII; XXII; XXIII; XXV; XXVI; XXVII; XXVIII; XXXII; XXXIII; XXXIV
15.	drought / heat	II; IV; V; IX; XVII; XVIII; XX; XXIII; XXIV; XXV; XXVI; XXVIII; XXXII; XXXIII; XXXIV
16.	radiation pollution	II; IV; V; XII; XIV; XVIII; XIX; XXII; XXIII; XXIV; XXV; XXVI; XXVIII; XXXII; XXXIII; XXXIV
17.	social protests	II; IV; X; XIII; XIV; XVI; XXII; XXIII; XXIV; XXVI; XXVIII; XXXII; XXXIII; XXXIV
18.	terrorist threat	II; IV; V; VI; VII; VIII; X; XIII; XIV; XXII; XXIII; XXIV; XXV; XXVI; XXVII; XXVIII; XXIX; XXX; XXXI; XXXII; XXXIII; XXXIV
19.	cyberspace threats	II; IV; V; VII; X; XIV; XXII; XXIII; XXIV; XXVI; XXVIII; XXX; XXXII; XXXIII; XXXIV

Own elaboration based on: National Crisis Management Plan, 2019, p. 39, available at <https://www.gov.pl/web/rcb/krajowy-plan-zarzadzania-kryzysowego> [access date: 07.06.2021].

Local government administration – poviats and gminas – to a narrow extent bases its activities on task modules – this results from the pragmatism of self-government functioning. As it has already been explained above, self-governments base their activities to a large extent on horizontal cooperation with other crisis management entities. Thus, the modules – which indicate the tasks of one institution – most often cannot be a proper determinant of the activities undertaken. Local governments use the modules that they are able to implement as independent entities. An example of this type of module is the module for introducing alarm levels in the area of the city/

commune.⁴⁰⁰ It is implemented by the president/mayor/wojt and regulates only the activities of this body.

The main tool for the distribution of competences at the local government level are procedures (regulating the cooperation of several entities). Procedures remain consistent with the provincial crisis management plan. On the other hand, regional crisis management plans are created on the basis of the National Plan. In this way, the allocation of competences for action in crisis management was arranged in a systemic way.

Additionally, the public administration, including local governments, uses the so-called operators, that mean planning documents prepared from the scope of a specific threats. Examples of such documents can be action plans in case of epidemiological threats, evacuation plans, or flood plans. Similarly to task modules, operators indicate the purpose of the action, the conditions for the operationalization of the action, the list of projects to be carried out by individual entities, the description of the sequence of tasks, the description of the flow of information, the legal basis. Therefore, they are an analogous tool to task modules, but concerning many involved entities and their subject is territorially limited. The universalism of operators is manifested by applying them by analogy, but not directly. Procedures and operators, that mean the main bases for the activities of self-government bodies, are detailed and often particular – assigned to a specific threat – guidelines. Therefore, it should be stated that while at higher levels of the crisis management system in Poland the aim is to universalise the planning of activities, at the lowest levels the aim is to adapt the models of undertakings.

In practice – which is also emphasised in the literature on the subject⁴⁰¹ – significant burden of response in a crisis situation rests on uniformed services (Voluntary and State Fire Service, Police, less frequently Armed Forces) and medical rescue systems. Local government administration in this

⁴⁰⁰ For example: *Załącznik do zarządzenia Wójta Gminy Fabianki Nr 46/2017 z dnia 29 czerwca 2017r., Wykaz przedsięwzięć i procedur zarządzania kryzysowego realizowanych w Urzędzie Gminy Fabianki i gminnych jednostkach organizacyjnych w sytuacji wprowadzenia stopni alarmowych*, Fabianki 2017.

⁴⁰¹ A. Marjański, *Rola Ochotniczych Straży Pożarnych w zapewnieniu bezpieczeństwa ludności*, [in:] *Edukacja warunkiem bezpieczeństwa w XXI w. – Bezpieczeństwo wczoraj i dziś*, M. Kopczeński, D. Sienkiewicz, (eds.), Koszalin 2017, s. 139.

type of cooperation most often plays the role of a leading entity, the services are supporting entities. The location of 16 250 Voluntary Fire Service units and 903 State Fire Service units in 2477 gminas in Poland guarantees the location of at least a few units in each gmina and determines the potential for counteracting crisis situations. It also illustrates the role of horizontal cooperation at the gmina level. The Fire Brigade has adequate equipment and personnel training, which is often lacking in public administration. Police authorities perform security functions. Procedural conditions⁴⁰² and the necessity of incurring relatively high costs⁴⁰³ of stationing armed forces troops in the area of the commune⁴⁰⁴ results in a rare use of this type of support by local administration. In this way, Voluntary Fire Service and State Fire Service are somehow functionally predisposed to undertake key actions in the phase of responding to crisis situations.

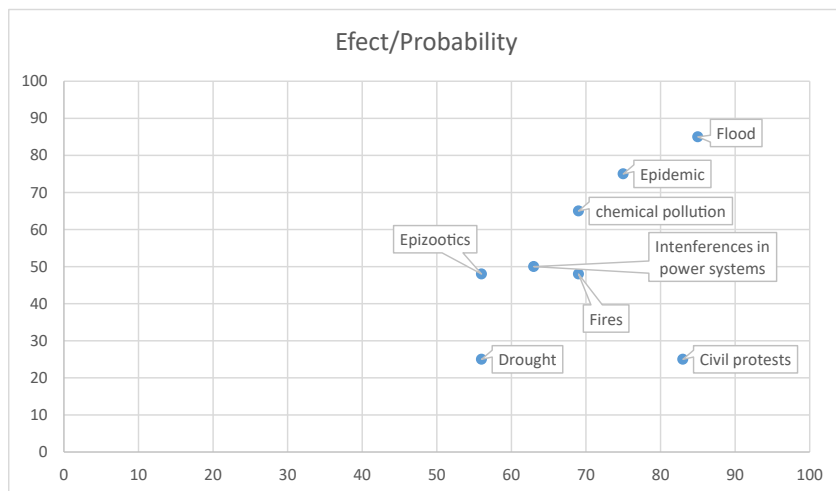
⁴⁰² The voivode, at the request of the lower-level administration, applies to the Minister of National Defence 24 hours before the time of entering by the armed forces of the Republic of Poland, the so-called Centre area. (specially designated by the director of the action in the area of the crisis situation by the designated forces and means of the Polish Armed Forces).

⁴⁰³ In 2010, in the Świętokrzyskie voivodeship, a total of 2044 soldiers were engaged in flood activities: 5 helicopters, 5 amphibians – PTS type, 2 flat-bottomed boats, 2 power generators, 2 special off-road vehicles. *Report from the May–June 2010 flood. Voivodeship Crisis Management Centre internal study*, p. 20. Nearly 27,000 soldiers participated in combating the floods in Poland. The costs of Armed Forces' participation in the actions amounted to almost PLN 15 million. *A year after the flood, news of the Ministry of National Defence of 12/05/2011*, available at archiwalny.mon.gov.pl/pl/artykul/11174 [access date: 06.05.2017]. In the Świętokrzyskie voivodeship alone, the voivode in 2010 handed over subsidies received from the special-purpose reserve of the state budget to the gminas in the total amount of PLN 154,847,4 thousand for: targeted benefits payments – in the amount of PLN 142,769 thousand; one-off benefits payments (for 5,957 of farmers' families) – PLN 9,892 thousand; financing the estimation of damage to buildings and dwellings costs – PLN 3,011 thousand; payment of flood benefits for educational purposes for 2017 pupils – PLN 2017 thousand; financing the costs of renting apartments for 37 families of flood victims – PLN 71 thousand. Supreme Audit Office, *Post audit statement at the Voivodeship Office in Kielce from April 2011*, P/11/176, LKI-4101-02-01/2011, p. 2.

⁴⁰⁴ "Materials for reconstruction, documentation and legal arrangements should be provided by the party applying for the support of the Polish Armed Forces. The costs of specialized military services are determined on the basis of freedom of contract between the parties. The budget of the Ministry of National Defence planned for the implementation of current tasks is the source of financing the use of the Polish Armed Forces in the fight against natural disasters and their consequences. The Department of Budget of the Ministry of National Defence is the institution responsible for the financial settlement of the military's participation in crisis events." T. Ciszewski, *Udział sił zbrojnych Rzeczypospolitej w zapobieganiu i usuwaniu skutków zagrożeń niemilitarnych*, "Zeszyty Naukowe WSOL" 2011, No. 2(160), p. 356.

The vertical arrangement of the division of competences – which was mentioned at the beginning of this subchapter – therefore runs between reaction and coordination, as well as between universalization and adaptation. Of course, universal action models are also used at municipal level, but due to pragmatic issues – the operationalisation of actions – they have to be adapted to local conditions. Both the specificity of the area and the specificity of the threats require appropriate adaptation of the action plans. It should be noted that, first of all, the risk of occurrence of specific threats in particular areas of the country is different, secondly, the risk of occurrence of the same threats in particular areas of Poland is also different, and thirdly, not every threat will mean a crisis situation.

As already explained above, and as also indicated in the action catalogue table, In Poland, the basic planning document for crisis management is the National Crisis Management Plan. The National Crisis Management Plan was prepared using the Report on National Security Threats, which deals with the risk assessment of 50 different threats. 19 of them were considered as potential crisis situations. The risk value of a given threat is a resultant of two scales: its effects and probability of occurrence. The highest risk values were assigned to: floods, epidemiological threats and contaminations, as well as interruptions in the supply of energy sources. Interruptions in the supply of energy sources were related to fuels (gas, oil, coal) as well as electricity. In the national risk assessment, a separate category of restrictions on access to drinking water was distinguished. However, the category distinguished referred to technical failures of water supply systems. Biological or chemical contaminations of drinking water were assigned to the category of contaminants. The risk values estimated in the Report on National Hazards are presented below.

Graph 1. Threats risk calculation in national security report

Own elaboration based on: RCB, *Ocena ryzyka na potrzeby zarządzania kryzysowego Raport o zagrożeniach bezpieczeństwa narodowego*, Warszawa, 2013, p. 16.

It should be noted, however, that from a functional perspective – characteristic for the presented work – not every threat is a crisis situation. Only those threats which require cooperation between the public administration and other entities of national security constitute a crisis situation. Thus, it should be clarified that crisis situations are relatively rare, and often when it comes to local threats, difficult to distinguish clearly from ordinary threats. For example, in the only one extinguishing action in 2018 was characteristic of a crisis situation for 549 State Fire Service trips (its control required actions longer than 24 hours and cooperation with public administration).⁴⁰⁵ There are communes in which no crisis situations ever occurred.

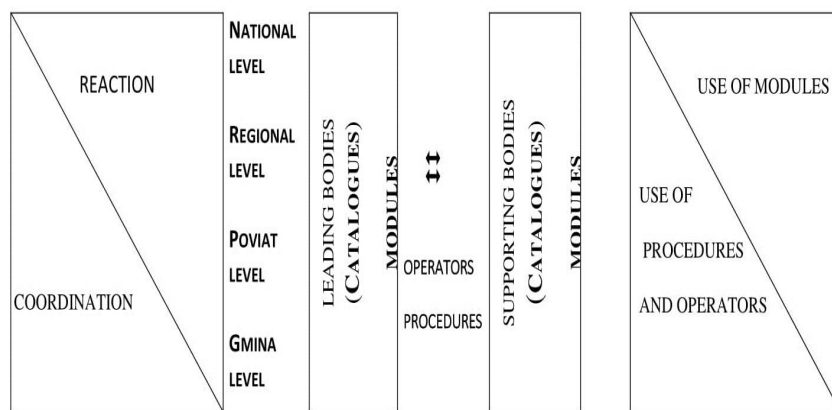
Furthermore, it should be explained that the most risky threats from the point of view of the crisis management system were distinguished because of their probability of occurrence and potential negative effects. This does not change the fact that higher risks do not translate directly into their

⁴⁰⁵ Statistical report generated by the Decision Support System of the National Fire Service ABACUS.

frequency. In example the risk of flooding in planning documents has been limited territorially to river areas.

It is easy to identify the reasons for the fact that a large part of the country is not at risk of flooding. Only the territories near the main waterways of the country are threatened by such threats. Therefore, flood control procedures will be best developed in municipalities with such a threat. These are most often the Vistula riverside municipalities. The administration, which does not have large watercourses in its jurisdiction, often does not create detailed operators to counteract such threats. The same applies to other threats. The scope and detail of procedures depends on the specificity of a given territorial division unit. The most frequently developed are descriptions of procedures and prepared operators, which concern the most probable threats in a given territory. Some of the procedures have universal character, such as: the procedure of Crisis Management Centre in case of crisis, the procedure of activating the Management Team, the procedure of informing the population, the procedure of activating the fuel distribution plan, the procedure of limiting educational activity by regulation, through periodical suspension of teaching classes. Others depend on the type of crisis situation or the implementing body: the procedure of operation of the Crisis Management Centre in the event of radiation events, the procedure of preparing an application to the Council of Ministers for the introduction of the state of a natural disaster, the procedure of suspending the bodies of local government units and appointing a representative to manage the activities.

Graph 2. Structure of competences for reaction in crisis situations



Own elaboration based on: RCB, *Ocena ryzyka na potrzeby zarządzania kryzysowego Raport o zagrożeniach bezpieczeństwa narodowego*, Warszawa 2013, p. 16.

To sum up, in Poland a system of allocation of competences to act in crisis situations was adopted. The cohesion of the system ensures the necessity to subordinate the content of planning documents of the lower level administration to the documents issued at the higher level. Vertical system of ability to act is characterized by different intensity of coordination and reaction as well as universalism and adaptation of action schemes. The higher the level of public administration, the greater the power to coordinate and the possibility of universalisation of schemes. The activity of the lowest levels of the crisis management system is characterised by the necessity to react in cooperation with other crisis management entities and the necessity to adapt the models of actions. In terms of the action plan, the system is based on catalogues, modules and action procedures, supplemented by operators. All implemented solutions are intended to increase the effectiveness of response to crisis situations by shortening the time of making decisions and implementing tasks. In view of the possibility of universal use of modules and procedures, the crisis management system should strive to improve the process of exchanging experiences between individual entities. Modules and procedures that have proved to be effective and reliable in the activities of individual institutions, may be duplicated in the crisis response of other actors. It seems that the coordination of activities

carried out by the voivodeship administration alone may not be sufficient. Therefore, trainings and exercises involving many crisis management entities should be considered as very important in the discussed aspect.

3.3. EXPENDITURE ON THE ACTIVITIES AND ORGANIZATION OF THE CRISIS MANAGEMENT STRUCTURE IN THE TERRITORIAL IMPLEMENTATION

In Poland, according to the Act on access to public information, information about “the mode of operation of state legal entities and legal entities of local self-government in the scope of performing public tasks and their activities within the budget economy is subject to disclosure.”⁴⁰⁶ The obligation to report on expenditure from the state budget also makes it easier to track the implementation of voivodeship budget plans. However, the lack of a coherent requirement as to the form of reports – at least at the voivodeship level – makes it difficult to compare the research material. The most useful for indicating the sources and scale of crisis management financing at the voivodeship level is the analysis of budget implementation in a task setting or a descriptive report on the implementation of the budget. Ten of the 16 voivodeships decided on this type of solution. Descriptive forms were adopted by the following voivodeships: Mazowieckie, Lubuskie, Lubelskie, Zachodniopomorskie, Dolnośląskie, Podlaskie and Pomorskie. Voivodeships: Małopolskie, Świętokrzyskie and Łódzkie prepared a list of expenditures in terms of task. The remaining six voivodeships only publish laconic summary statements of incurred expenses. The plan of budgets in a task-based system allows to determine the amount of funds allocated for management in a detailed manner. Descriptive forms of budget reports allow to deduce the possibility of allocating expenditures on crisis management in the budget, but not precisely determine the amount of allocated amounts.

According to the budget act, “expenses for the implementation of tasks in the field of crisis management [are incurred] within three budget parts: (1) internal affairs (ranged from PLN 2,977 thousand in 2008 to PLN 8,475 thousand in 2014), (2) education and upbringing (from PLN 3,000 in

⁴⁰⁶ *The Act of 6 September 2001 on Access to Public Information*, Dz.U. from 2001 No. 112, item 1198; Dz.U. from 2018, item 1330, 1669, art. 6, section 1, point 3.

2011–2013 to PLN 50,000 in 2009) and culture and protection of national heritage (expenditures under this part of the budget were incurred only in 2011 – amounted to PLN 12,000).⁴⁰⁷ According to the budget classification⁴⁰⁸ *Internal affairs* are included in part 42 of state budget. It is possible to distinguish divisions, among others, 750 public administration, 752 national defence, 754 Public safety and fire protection. It is only within division 754 that chapter 75421 – crisis management is classified. The funds accumulated in this chapter are also distributed to 16 voivodeships and recorded respectively in part 82 of the budget, division 754 and chapter 75421. In 2017, the amounts disbursed from part 42, chapter 75421 amounted to PLN 7,672 thousand, however, from this amount, PLN 3,840 was allocated and issued in voivodeships (detailed distribution is presented in Table No. 4).⁴⁰⁹ The remaining amount was most probably assigned to the Minister of Interior and Administration and the Government Centre for Security⁴¹⁰, which is a state budget unit not listed in the budget sections

⁴⁰⁷ G. Wilk-Jakubowski, *Finansowanie systemu zarządzania kryzysowego w Polsce*, "Bezpieczeństwo i Zarządzanie", Vol. XVIII, Iss. 5, part 3, p. 241.

⁴⁰⁸ Based on *The Ordinance of the Minister of Finance of March 2, 2010 on the detailed classification of revenues, expenses, revenues and expenditures as well as funds from foreign sources*, Dz.U. from 2010 No. 38, item 207 it can be explained that: budget classification budget classification is the systematization of public funds as well as public expenditure and outlays. Public incomes, public expenditures from their operations and from other sources as well as funds from the EU budget and from non-returnable foreign sources are classified by: divisions and chapters – specifying the type of activity; paragraphs - determining the type of income, revenue or expense. *Regulation of the Minister of Finance of March 2, 2010 on the detailed classification of incomes, expenses, revenues and expenditures and funds from foreign sources*, Dz.U. from 2010 No. 38, item 207, § 1.

⁴⁰⁹ Cf. *Annex 012 and Annex 014 Report on the implementation of the state budget for the period from 1 January to 31 December 2017*, Vol. I, Warszawa 2018, pp. 2, 8, available at <http://orka.sejm.gov.pl/Druki8ka.nsf/0/42EEAA67DED2F09C125829D002EC6C1/%24File/2559-Om%C3%B3wienie%20sprawozdania.pdf> [access date: 10.05.2018].

⁴¹⁰ Due to the wide range of tasks performed Not all expenditures incurred by Government Centre for Security may be qualified for operations under crisis management. The basic functions of Government Centre for Security include the following: 1. analytical function – it consists in the analysis of information about threats reaching the centre, among others in the form of reports from lower levels of crisis management. 2. diplomatic – Government Centre for Security is responsible for contacts with cells conducting activities corresponding to crisis management in the European Commission and in NATO. 3. administrative – mainly concerns: supervising the consistency of emergency response procedures at all levels of crisis management; organization and conducting training and courses in the field of crisis management. 4. social – alarming;

dedicated to budgetary units. Which would indicate that the centre's spending is located in part 42.⁴¹¹

Tab. 5. The amount of expenses incurred for the implementation of tasks in the field of crisis management in voivodeships budgets in 2017

Voivodeship	The amount of expenses recorded in chapter 75421 (in thousands of PLN)
Dolnośląskie	174
Kujawsko-Pomorskie	509
Lubelskie	23
Lubuskie	128
Łódzkie	133
Małopolskie	80
Mazowieckie	152
Opolskie	137
Podkarpackie	63
Podlaskie	7
Pomorskie	45
Śląskie	689

.....
 launching crisis management procedures at the national level. 5. planning – development of the national crisis management plan and the national plan for the protection of critical infrastructure. 6. control – it consists in controlling the procedures of the services and administration. It also depends on their improvement. 7. information – contact with the media. Development based on G. Sobolewski, *Organization and functioning of a crisis management centre*, Warszawa 2011, p. 34. The basis for the financial management of a budgetary unit is the revenue and expenditure plan. In Government Centre for Security's financial plans, you can find the amount of funds allocated in accordance with the current budget classification. Thus, in 2009 Government Centre for Security has realized expenses for running its business in the amount PLN 13,676,4 thousand, completely classified in chapter 75421. The amount of PLN 2,572,4 thousand was spent on the purchase of equipment and devices necessary for the proper functioning of Government Centre for Security. Supreme Audit Office, *Post audit statement at the Government Centre for Security*, KAP-4101-04-03 from 2010, p. 7

⁴¹¹ The Government Centre for Security as a state budget unit does not have legal entity. Its financial management is strictly dependent on the state budget. It covers its expenses directly from the budget, and pays the collected income to the account of the state budget revenues. *Act of 27 August 2009 on public finance*, Dz.U. from 2018, item 62, 1000, 1366, 1669, 1693, art. 11, section 1.

Voivodeship	The amount of expenses recorded in chapter 75421 (in thousands of PLN)
Świętokrzyskie	No classification 75421
Warmińsko-Mazurskie	355
Wielkopolskie	1059
Zachodniopomorskie	286
Total	3 840

Own elaboration based on: *Report on the implementation of the state budget for the period from 1 January to 31 December 2017*, vol. II, Warszawa 2018.

An analysis of budget expenditures of ten voivodeships indicates discrepancies in the classification of expenditure on crisis management. It turns out that the expenditures of the Świętokrzyskie voivodeship for crisis management were recorded in division 750 crisis management and prevention and removal of the effects of natural disasters in chapter 75011, paragraphs 4020, 4040, 4110, 4120, 4170 for a total of PLN 759,382 thousand. Of which PLN 377,311 thousand requires the maintenance of the Voivodeship Centre for Crisis Management; PLN 299,650 thousand allocated to the development of procedures related to crisis management and protection of critical infrastructure and cooperation with international organizations; PLN 82,421 thousand on courses and public administration training in the field of crisis management, crisis communication.⁴¹² In the budget of the Świętokrzyskie Voivodeship, no expenditure was recorded in chapter 75421 – which is also in line with the distribution of funds in part 85 (expenditure of voivodeships) of the state budget. A similar solution was adopted in the Małopolskie voivodeship, with the difference that the funds were also disposed of in chapter 75421. The total allocated funds in chapters 75011 and 75421 for crisis management amounted to PLN 1720,991 thousand in 2017. Of which, again, the expenses for maintaining the crisis management Centre – also the full-time expenses – were recorded in

⁴¹² Voivodeship Office of the Świętokrzyskie Voivodeship, *Annex No. 48 to the decision of the Świętokrzyskie Voivode sign: FN.I.3111.1.2018 dated 20 February 2018. State budget in the task-based system for 2018, part 85/26 – Świętokrzyskie Voivodeship, task 2.4*, available at <https://bip.kielce.uw.gov.pl/download/2/16980/Podzialdotacja2018rok.pdf> [access date: 08.06.2017].

chapter 75011.⁴¹³ In the Łódzkie Voivodeship in 2017, PLN 883 thousand were allocated to crisis management in the same way.⁴¹⁴

In budget reports, you can find figures of additional amounts for crisis management. In the Lublin Voivodeship, in 2017, within the frames of chapter 75011 paragraph 6069 were created – expenditure on investment purchases of budgetary units. It was a budgetary part, where a possible grant from the Regional Operation Program of Lubelskie Voivodeship was included for the project, also concerning crisis management.⁴¹⁵

Powiat and gmina practice indicates a consistent record of expenditure on crisis management under chapter 75421 budgets of local government units. In addition to the obligatory budget reserve for emergency situations, local governments rarely decide to include additional funds in additional paragraphs. For example, in the Jędrzejowski powiat in 2015 and 2016, additional amounts were planned in paragraphs: 4190, 4300. These are expenses for the purchase of materials and equipment or the purchase of other services.⁴¹⁶ As for the expenses for the organization of crisis management Centres in the case of a Skarżysko Kamienna (the only municipality with a Centre), expenses for its operation were recorded in additional chapter 75495 (additional activity). Expenses recorded in this section boil down to the current regulation of personnel costs (in 2016, personal wages alone without insurance costs amounted to PLN 416,655 thousand, in turn, in 2017, PLN 477,702 thousand). Under this budget chapter, amounts are spent on the maintenance and maintenance

⁴¹³ Annex No. 4 to the ordinance of the Małopolskie Voivode. *Budget of the Małopolskie Voivode for 2017 in a task-based system – the state budget and the budget of European funds*, task 2.4, available at <https://bip.malopolska.pl/muw,a,1401769,zarzadzenie-nr-poz-rej-53517-wojewody-malopolskiego-z-dnia-30-listopada-2017-r-w-sprawie-zmiany-plan.html> [access date: 08.06.2017].

⁴¹⁴ Ibid.

⁴¹⁵ *Analysis of expenses from the Lubelskie Voivode budget for 2017*, p. 190, available at <https://luwulublinie.bip.gov.pl/analizy-z-wykonania-dochodow-i-wydatkow-wojewody-lubelskiego-w-2017-r/analiza-dochodow-i-wydatkow-za-2017-r.html> [access date: 10.05.2018].

⁴¹⁶ Jędrzejowski powiat, *Annual report Rb-28S on the implementation of the budget for 2015*, p. 7, available at <https://www.powiatjedrzejow.pl/> [access date: 08.06.2017]; Jędrzejowski powiat, *Annual report Rb-28S on the implementation of the budget for 2016*, p. 7, available at <https://www.powiatjedrzejow.pl/> [access date: 08.06.2017].

of monitoring or hardware deliveries for the Emergency Management Centre.⁴¹⁷

Summing up the chapter's findings, it should be noted that 1) Voivodeship Crisis Management Centres operates primarily on the basis of the Act on Crisis Management and on the basis of ordinances of the Voivode. It has to have wide technical and IT facilities as well as a not very extensive functional structure. Based on the Voivodeship Crisis Management Centre regulations. 2) It should be concluded that the Centre's functioning is based primarily on the activities of the manager and the duty service. 3) Technical infrastructure – communication, information storage and processing systems – not only improve the work of the Centre, but are also constitutive for its functioning. CAR, Popiel, Opal, GIS, hydrological and meteorological monitors – and other programs being described above – are the basic tools of the Centre's work. 4) Voivodeship Crisis Management Centre is inseparably connected with other units of the Voivodeship Office. In matters requiring specialist knowledge, the Centre's manager uses, among others, employees of the Legal Department, Supervision and Control, or an IT unit. This relationship between the Office and the Centre is a reflexive function. Voivodeship Crisis Management Centre performs a number of tasks – including clerical work – which go beyond the framework of crisis management. This is an observation which, in comparison with the provisions of the book, suggests the personnel and function insufficiency in comparison to the scope of the Centre's responsibilities. It seems, however, that this proposal can be extended to all levels of the crisis management system in Poland. 5) At poviats and gmina level, crisis management Centres are not created probably due to the scale of costs. 6) In the scale of the entire voivodeship, 115 bodies (not counting the voivode and Voivodeship Crisis Management Centre), only one gmina runs a 24-hour crisis management Centre. 7) At least 4 different possibilities of organizing municipal crisis management Centres can be distinguished on the basis of crisis management teams. 8) The deployment

⁴¹⁷ *Annual descriptive report Rb-28S on implementation of the budget of Skarżysko Kamienna gmina for 2016*, pp. 17–18, available at <http://bip.skarzysko.pl/artykuly/172/1/15/sprawozdania> [access date: 10.05.2018]; *Annual descriptive report Rb-28S on implementation of the budget of Skarżysko Kamienna gmina for 2017*, p. 17, available at <http://bip.skarzysko.pl/artykuly/172/1/15/sprawozdania> [access date: 10.05.2018].

of authorities responsible for crisis management in Poland implements the principle of hexagonal division, characteristic for Central Place Theory. However, material support should be deployed at distances from the upper limit of access to the central good. The current asymmetrical location of their access borders does not guarantee that the needs of all peripheral centres will be covered. 9) The analysis of public administration bodies during crisis situations allows to draw broad conclusions for crisis management theories regarding organizational and financial aspects (see next chapter). 10) The organisation of the competence structure of crisis management entities in crisis response is being based on catalogues, modules, procedures and operators. 11) The Polish crisis management system strives to universalise catalogues, modules and procedures. It means that they are created in such a way that they can be applied to various crisis situations. 12) At the level of local government administration, universalization takes place through the adaptation of useful action plans. 13) In order to use the full potential of the universal action plans it is recommended to intensify training at all levels of public administration. 14) Expenditure on crisis management in territorial implementation must be calculated on the basis of also other budget classifications than chapter 75421 – crisis management.

CHAPTER IV

NORMATIVE-PRAGMATIC MODEL OF CRISIS MANAGEMENT

The term *pragmatism* in the normative-pragmatic model means the practice of the functioning of the crisis management structure. It corresponds to the concept of *object manipulation*, which is one of the basic types of human activity in the functional-pragmatism. Thus *the normative-pragmatic model* of crisis management means the attempt to describe the subject matter using the functional-pragmatism assumptions. The presented model arises from the conviction that crisis management is a relationship of legal norms and practice. Hence its name: *normative-pragmatic*.

In the presented approach, neither the independent value of practitioners' experience nor normative research on crisis management is excluded. On the contrary, the achievements of both parties are appreciated and used. However, it is acknowledged that the definition of what crisis management is should be of a relational nature.⁴¹⁸

⁴¹⁸ In the Polish literature there are books which take into account only one aspect (pragmatic or normative) of the relation which is crisis management. G. Sobolewski dealt with – in a limited scope, because taking in to the account only the functioning of crisis management centres – pragmatics. G. Wilk-Jakubowski limited his conclusions to the normative side of the phenomenon. Although his interests concerned the relationship between the Polish legal system and the regulations developed by the international community, in particular the EU and NATO. He did not refer to domestic regulations (lower than the statutory and regulation level). The development of an implementation model, which is the result of a list of normative and pragmatic arrangements, which is additionally based on a comprehensive analysis of national and territorial solutions, is a fundamental novelty of the presented book. See. G. Sobolewski, *Organizacja i funkcjonowanie...*, op. cit., and G. Wilk-Jakubowski, *Normative Dimension of Crisis Management System in the Third Republic of Poland in an International Context. Organizational and Economic Aspects*, Łódź–Warszawa 2019.

The chapter was devoted to the developed model of crisis management whereas the entire book presents the theory of crisis management. *The model* is a detailed – though the most important element – of the theory. It is based on the methodology presented in the first chapter. Its content includes normative findings – the second chapter and the research on practice results – the third chapter.

It should therefore be concluded that the presented part of the work contains the results of inference based on previously collected findings. Both deductive reasoning as well as probable reasoning are applied here. According to the classic of Polish logical thought. “On the basis of a system of sentences: reasons and consequences, premises and conclusions, sentences at the starting point and sentences at the point of arrival [can be divided] inference into reliable and probable.⁴¹⁹ Reliable reason is deductive reasoning. In this conclusion, the conclusion follows logically from the conjunction of the premises. [...] Basically, there are several varieties of reasoning conclusively⁴²⁰: reduction inference, inference by inductive enumeration incomplete, inference by analogy, statistical inference.”⁴²¹ Inferential deduction concerns especially arrangements regarding the scope of meaning of concepts. Reduction applications relate mainly to arrangements regarding the structure and financing of crisis management.

The purpose of this chapter is to present the conclusions developed by comparing the content of the previous parts of the paper. The first subchapter has been devoted to explanations on the meaning of *crisis management* term. By compiling the content – often enigmatic – of the Acts with documents developed in practice, the catalogue of crisis management entities in Poland was established. It turned out to be much wider than the one developed on the basis of normative findings (in the second chapter). Also the concept of a crisis situation – the meaning of which is also explained in the first subchapter of this part of the book – gets more

⁴¹⁹ K. Ajdukiewicz, *Ajdukiewicz K., Klasyfikacja rozumowań*, [in:] *Język i poznanie*, t. 2, Warszawa 1965, p. 222.

⁴²⁰ Z. Ziembiński, *Logika praktyczna*, op. cit., pp. 182–183; W. Marciszewski, *Sztuka rozumowania w świetle logiki*, Aleph, Warszawa 1994.

⁴²¹ A. Sołtys, *O przypadku niezawodnego rozumowania przez analogię*, [in:] *Episteme w poznaniu filozoficznym i naukowym*, K. Bałękowski, P. Wiatr (eds.), Tygiel, Lublin 2016, pp. 149–150.

definite in the relational seeding of norms and practices. It is recognized that the determinant of a crisis situation should be of a functional nature. The discussed subchapter also includes explanations on quantifiable indicators of threats that may turn into crisis situations. The second subchapter was devoted to descriptions of the crisis management structure in Poland. Concluding on the base of the relation between the practice and the standard, derogations from the normative model are shown. It turns out that Government Centre for Security (RCB) performs much more important roles for the Polish crisis management system, than only coordination of activities at lower levels of public administration. Practice also reveals derogations at the voivodeship level, but above all at the gmina level. Explanations on the current development trends of the crisis management structure in Poland end the subchapter. The last subchapter deals with the issue of financing crisis management. It illustrates the shortcomings of the legal binding norms in the regulation of the matter under examination. Practice indicates grassroots initiatives and solutions that allow to spend funds for crisis management resources. It reveals underfunding of the system, especially at the local government level. In the subchapter, two possible sources of crisis management financing were distinguished. On the other hand, eight possible forms of disbursement were described within these sources.

It is acknowledged that the division of content adopted in the chapter allows for the development of a complete crisis management model. According to the assumptions of functional-pragmatism, the typologisation of phenomena is based on the essential, causal and genetic axis of typologisation. This creates a complete – spherical – model of explaining the phenomenon. The chapter presents the essence of crisis management – that is, how to understand the concept. In this way, the postulate of essential explanations was accomplished. The question: what is crisis management? was answered. The causal issues have been discussed through the description of the structure. It was explained how the examined institutions function. Funding models relate to issues of system supply – they raise genetic problems.

4.1. NORMATIVE-PRAGMATIC DEFINITION OF CRISIS MANAGEMENT

According to the normative approach, crisis management should be defined as a four-step response of public administration to a crisis situation.⁴²² It comes down to counteracting, planning, reacting to a crisis situation and reconstruction after its occurrence.⁴²³ This is an approach that explanations of the crisis situation make it a central concept for the definition of crisis management. That is why the explanations about the understanding of a crisis situation are considered crucial for defining crisis management.

It is therefore possible to conclude that crisis management is a way a public authority responds to a crisis situation. This reaction involves prevention, counteraction, response and reconstruction. Such an explanation requires defining a *crisis situation*. According to paragraph 3 "A crisis situation shall be understood as a situation that impacts negatively on the safety of people, property in large sizes or the environment and produces significant restrictions on the operation of competent public administration authorities due to the inadequacy of possessed capabilities and resources."⁴²⁴ In other words, it is a threat to the population, property or environment, which requires the public administration to engage additional capabilities and resources.

In the literature of the subject the issue of additional capabilities and resources is understood in different ways. There are authors who point to the need to support lower levels of local government administration by higher levels of local government or government.⁴²⁵ Much better seems to be the explanation that refers to the help of organs of *public administration in strict and large sense*. For this type of interpretation, weigh in favour, for instance, contents of the crisis management plans. The *Act on Crisis Management* obliges the public administration to keep and update the

⁴²² *The Act on Crisis Management...*, op. cit., art. 2.

⁴²³ Those are explanations compatible with common standpoints spread in subject literature. Crisis management process is being divided into four phases: preventing, planning, reacting and rebuilding.

⁴²⁴ *The Act on Crisis Management...*, op. cit., art. 2.

⁴²⁵ K. Sienkiewicz-Małyjurek, F.R. Krynojewski, *Zarządzanie kryzysowe...*, Difin, Warszawa 2010, p. 12.

documents.⁴²⁶ The crisis management and response procedures were defined in the plans. In addition to the public administration responsible for crisis management there are, among others, bodies of uniformed services and inspections listed. Procedures guarantee the action. Therefore without procedures there is no crisis management understood as an action/reaction on crisis situation. This observation is confirmed in practice as well.⁴²⁷

Crisis management plans include a full catalogue of crisis management participants. In addition to public administration bodies (in the *narrower* sense) responsible for crisis management, among others, are organs of uniformed services and inspections. For example, the State Fire Service is responsible for large-scale fires, and the public administration is the facilitator⁴²⁸. On the basis of crisis management plans one can create a closed catalogue of institutions supporting public administration in crisis situations.⁴²⁹

It covers the following categories: administration subordinate to voivode, administration not subordinate to the voivode and infrastructure owners affected by the crisis. On the basis of the *Act on Voivodeship and the governmental administration in the voivodeship of January 23, 2009*, as the authorities of the administration subordinate to the voivode, the following are mentioned: Voivodeship Commander of the State Fire Service, Voivodeship Police Commander, Voivodeship Inspector of Construction Supervision, Voivodeship Inspector for Environmental Protection or the Voivodeship Veterinary Doctor, Voivodeship Superintendent (i.e. in a case of

⁴²⁶ *The Act on Crisis Management...*, op. cit., art. 5.

⁴²⁷ In accordance with the procedures of the voivode of the gmina, the mayor of the city may dispose of the OSP's performance not included in the NSSD. In a situation that requires the use of specialized equipment, most often such branches do not have adequate technical facilities. The mayor may apply to the PSP dispatcher with a request to dispose of a better equipped group of TSOs incorporated in the NSAF. However, if there are no operating procedures provided for the dangerous event, the dispatcher may refuse to start the fire brigade.

⁴²⁸ *Voivodeship Crisis Management Plan for the Świętokrzyskie Voivodeship*, April 28, 2016, p. 22, available at <http://czkw.kielce.uw.gov.pl/czk/wojewodzkie-centrum-zarz/wojewodzki-plan-zarzadzania> [access date: 28.10.2017].

⁴²⁹ Ibid.

need to temporary restrict educational activities⁴³⁰). In turn, as exemplary bodies of the public administration subordinate to the competent minister or central authorities – there may the following be mentioned: poviats directors of mining offices, poviats veterinarians, and commanders of Border Guard units.⁴³¹ According to Article 25 of the Crisis Management Act: “The Armed Forces units may participate in the performance of crisis management tasks, according to their specialist training and pursuant to the voivodeship crisis management plan.”⁴³²

Thus the statutory “inadequacy of possessed capabilities and resources” should be understood as the need to support the public administration responsible for crisis management in a *strict sense* by *administration organs in large sense*. Whenever capabilities and resources of public administration in a *strict sense* are sufficient to cover the threat there is no purpose to write about a crisis situation. The support relation is returnable function. Thus the crisis situation could be recognized as a needed of help from the *administration organs in a large sense* as well. In accordance with the *justification to the draft Act on Crisis Management*, the owners of critical infrastructure⁴³³ should be added to the catalogue of entities involved in crisis management. Article 6 of the *Act on Crisis Management* indicates only the general catalogue of such entities.⁴³⁴ Crisis management plans include detailed definitions. Thus, the third category of organizations cooperating with public administration in crisis

⁴³⁰ *Poviat Crisis Management Plan of Kielecki poviat on 31 March 2018*, p. 196, available at <http://www.um.kielce.pl › userfiles › files › kryzys> [access date: 28.10.2017].

⁴³¹ *Act of 23 January 2009 on voivode and governmental administration in the voivodeship*, Dz.U. from 2017, item 935, 976, 1475, 1566, art. 56.

⁴³² *The Act on Crisis Management...*, op. cit., art. 25.

⁴³³ “Critical infrastructure – it should be understood as systems and their functionally interconnected objects, including construction objects, devices, installations, key services for the security of the state and its citizens, and to ensure the efficient functioning of public administration bodies, as well as institutions and entrepreneurs. Critical infrastructure includes the following systems: a) supply of energy, energy raw materials and fuels, b) communication, c) ICT networks, d) financial, e) food supply, f) water supply, g) health protection, h) transport, i) life-saving, j) ensuring the continuity of public administration, k) production, storage, storage and use of chemical and radioactive substances, including pipelines of dangerous substances” art. 2, the *Act on Crisis Management...*, op. cit.

⁴³⁴ Article 6 indicates only “holders of self-contained and dependent objects, installations or critical infrastructure devices.” *The Act on Crisis Management...*, op. cit., art. 6.

situations is created by infrastructure owners. Their catalogue depends on both the type of crisis situation and the area of its occurrence. For example, in the poviats of Kielce, the owner of low and high traction is PGE Capital Group. These entities also include the Directorate of National, Voivodeship and Poviats Roads, or the Regional Water Management Board. However, the system's pragmatics indicates an extended catalogue of institutions participating in crisis management. Not all institutions responsible for activities during a crisis situation are the owners of critical infrastructure. Crisis management plans provide for actions of the State Forests Directorate⁴³⁵, which plays a significant role e.g. in the case of epiphytes. However, as state organizational units, they are not part of the administration subordinate to voivode or administration not subordinate to the voivode. In addition, according to the statutory definition of *critical infrastructure*, they cannot be included in its systems. Additionally, in the crisis management plans, there are assigned support roles also for institutes, among others, Institute of Meteorology and Water Management, National Geological Institute – National Research Institute.⁴³⁶ Therefore, on the basis of the system's practice, one should talk about the cooperation of public administration with the services, inspections, owners of critical infrastructure and institutes and entities – e.g. the Directorate of State Forests - assigned to control specific crisis situations.

The system's functioning practice indicates that non-governmental organizations also participate in crisis management. Although the *Act on Crisis Management* provides for a place for representatives of social rescue organizations in gmina and poviats crisis management teams⁴³⁷, the term itself has not been strictly specified.⁴³⁸ The literature on the

⁴³⁵ *Poviat Crisis Management Plan of the Lipsko poviat*, SO.5532.5.2014, Lipsko 2014, p. 119.

⁴³⁶ *Voivodeship Crisis Management Plan of the Świętokrzyskie Voivodeship of 25.09.2018*, p. 54, available at <https://czkw.kielce.uw.gov.pl/czk/wojewodzkie-centrum-zarz/wojewodzki-plan-zarzadza/6974,Wojewodzki-Plan-Zarzadzania-Kryzysowego.html> [access date: 28.10.2017].

⁴³⁷ *The Act of April 26, 2007 on crisis management*, Dz.U. from 2007 No. 89, item 590, art. 19, § 6, point 3.

⁴³⁸ The article that defined the meaning of this term was repealed in the amendments to the Act. *The Act of 8 September 2006 on State Emergency Medical Services*, Dz.U. from 2018, item 650, 1115, 1544, 1629, 1669, art. 12, section 2. Involving that type of cooperation it could be considered as a consistent with the New Public Management. П. Павлов, *Държавното*

subject points to such entities as: Volunteer Water Rescue Service, Mountain Volunteer Rescue Service, Tatra Volunteer Search and Rescue. In addition to emergency organizations as participants of crisis management, socio-educational organizations are also mentioned: Riflemen's Association, Polish Scouting Association, Polish Red Cross.⁴³⁹ Crisis management centres also cooperate with regional entities such as: Aeroclubs (which can provide reports on the current state of threat development), regional cells of the Polish Amateur Radio Union.⁴⁴⁰ The category of non-governmental organizations that are involved in crisis management is an under-defined set of institutions. Only on the basis of the source documents could all the detailed scope of these institutions be determined. For the purposes of the considerations, it is enough to acknowledge non-governmental organisations as another entity involved in crisis management in Poland.

What is worth to underline: not the scale or frequency of threat's occurrence indicates crisis situation. Taking into account the phenomenon of floods, flood alarm states (which is connected with the activation of crisis management centers in the commune) were announced in: 2010, 2013, 2014, 2016, 2017, 2019 in the periods May–June. These were threats of a wezbranched nature, which had different scales and territorial range. Additionally, in the voivodship there were rainfalls in 2013 and 2018.⁴⁴¹

управление и администрацията в европейски контекст (Ориентири за трансформация), Варна 2007. See also: А. Парашкевова, П. Павлов, *Новият публичен мениджмънт – концептуална основа за използване на аутсорсинга в административна среда*, "KSI Transactions on Knowledge Society" 2011, Vol. 3, No. 2, pp. 10–11.

⁴³⁹ A. Morawski, *Rola organizacji pozarządowych w procesie zarządzania kryzysowego*, "e-Politikon" 2013, No. 6, pp. 195, 197.

⁴⁴⁰ Head of the Crisis Management Centre of the Świętokrzyskie Voivodeship, *List of non-governmental organizations cooperating with the Department of Safety and Crisis Management of the Provincial Office in Kielce*, [in:] *Voivodeship Crisis Management Plan of the Świętokrzyskie Voivodeship of 25.09.2018*, op. cit.

⁴⁴¹ *Risk assessment of the Świętokrzyskie Voivodeship in 2012. Report on the work of the Poviát Crisis Management Team of 10 January 2015*, WBiZK.I.6332.2015; *Risk assessment of the Świętokrzyskie Voivodeship in 2012. Report on the work of the Poviát Crisis Management Team from 08 February 2013*, WBiZK.I.6332.1.2-13; *Risk assessment of the Świętokrzyskie Voivodeship in 2013 Report on the work of the Voivodeship Crisis Management Team of 2014-02-10*, WBiZK.I.6332.1.2-13; *Risk assessment of the Świętokrzyskie Voivodeship in 2013. Report on the work of the Poviát Crisis Management Team of 10 February 2014*, WBiZK.I.6332.1.2-13; *Risk assessment of the Świętokrzyskie Voivodeship in 2014. Report on the work of the Voivodeship*

In statistical summaries of crisis management – as opposed to statistics of e.g. the State Fire Service, where the number of interventions is taken into account – the duration of the threat should be taken into account. Cooperation between public administration and national security entities (which is the essence of a crisis situation from functional perspectives) is not incidental in nature (individual interventions), but continuous in from the beginning of cooperation to the removal of the threat. Thus, the flood or other crisis situations, despite the fact that they last for almost a month, as in the case of the 2010 flood (the first wave exceeded the warning levels on the Vistula river already 14–15.05 2010, the water level during the second wave fell below the warning level of 13.06.2010)⁴⁴² and they cover a number of actions, in the statistics on crisis management they should be included as one crisis situation. The dynamism of the threat in question is illustrated by the following fragment of the flood hydrography, where water intake also means intensification of crisis response activities.

To sum up, the cooperation parties in crisis management are: public administration in a narrower sense (governmental and self-government administration bodies), public administration in a broader sense (described in Chapter II), owners of critical infrastructure, additional entities defined in crisis management plans (Institutes, directorates) and non-governmental organizations. Thus, returning to the definition of crisis management, it should be defined as the activity of public administration supported by other institutions involved in the structure of the crisis management system in order to counteract crisis situations. A natural step in explaining the concept of crisis management is therefore to precisely define the meaning of the concept of a crisis situation. In the adopted functional and pragmatic research perspective, its significance grows in the juxtaposition of a pragmatic and normative way of defining the scope of a crisis situation.

Crisis Management Team, WBiZK.I.6332.2015; Safety assessment of the Świętokrzyskie Voivodeship in 2016. Report on the work of the Voivodeship Crisis Management Team, available at the Voivodeship Centre for Crisis Management in Kielce.

⁴⁴² Atmospheric precipitation in May 2010 was recorded every day, sometimes it even took on a stormy character. As a result, the level of rivers has increased, but also the filled. On May 14–20, the sum of local rainfall exceeded even 40 mm per day. The situation was exacerbated by the fact that in the upper reaches of the Vistula, daily rainfall exceeded 100 mm. *Report from the May–June 2010 flood. Voivodeship Crisis Management Centre internal study, op. cit., p. 10.*

4.1.1. NORMATIVE-PRAGMATIC MEANING OF A CRISIS SITUATION

In the system practice, we are dealing with an enumerative indication of the catalogue of crisis situations, as well as a relatively clear description of their indicators. The enumerative term is presented in the crisis management plans. Thus, both the catalogue of situations and the catalogue of entities assigned to crisis situations will be an element developed in the practical operation of the system.

A full list of crisis situations is contained in the National Crisis Management Plan. There are about 20 different types of hazards such as: flood; epidemics; chemical contamination on land; chemical contamination at sea; threats to telecommunications systems; interference in the power system; interference in the fuel system; disturbances in the gas system; strong frosts and snowfalls; large-scale hurricanes; forest fires; epizootic diseases; building catastrophes; landslides; drought / heat; radiation pollution; social protests; terrorist threat; cyber threats.⁴⁴³ In practice, measurable indicators of crisis situations have been identified only for a few threats. Some of them can be diagnosed on the basis of normative regulations.

A flood can be included in specific crisis situations. Normative statements of flood indicate only its origin. In other words, these are terms that only take into account the genetic aspect (source) of the threat. In the Polish legal system, the statutory definition of flood initially indicated the need for arising of threat to people, the environment and cultural goods.⁴⁴⁴ However, in the current read of the Act, this type of specification has been dropped. At present, the flood is understood as “temporary covering by water of land that is not covered by water in normal conditions, in particular caused by a spate of water in natural waterways, water reservoirs, canals and from the sea, excluding water coverage of

⁴⁴³ *National Crisis Management Plan 2013/2015*, op. cit., p. 46.

⁴⁴⁴ The flood was defined as “temporary covering of land by water, which in normal conditions is not covered with water, resulting from rise in natural waterways, water reservoirs, canals and from the sea, posing a threat to life and health of people, the environment, cultural heritage and business activities”, *The Act of 18 July 2001 on Water Law*, Dz.U. from 2001 No. 115, item 1229, art. 9, section 1, point 10.

land caused by a spate of water in sewer systems.”⁴⁴⁵ This is probably the result of the coherence of the Polish normative system with the acts of the European Union. According to the European Commission, five types of floods are distinguished: river – caused by water rivers, irrigation canals, mountain streams, lakes and caused by snow thawing; rain – they are the result of rainstorms; from sea waters – they are caused by entering sea waters into terrestrial areas; from water and sewerage facilities – they most often involve infrastructure failures; other – caused by ice hazards, i.e. congestion; resulting from too large discharges from water reservoirs, for example due to failure of damming devices, flood caused by the overlap of flood waves, flood caused by overflowing of water over a damming structure, flood caused by surface runoff.⁴⁴⁶ These are explanations referring to the causes of the flood, but not to the quality of the threats that it brings with it. The National Research Institute of the Institute of Meteorology and Water Management has identified measurable flood indicators. The first degree of flood hazard is determined by the forecasted increase in the water level, which exceeds 100 cm in 6 hours, 12 hours or day. The second stage is connected with exceeding the warning levels, with the upward trend, on the water gauges in at least one basin monitored by the basic observation and measurement network. The third stage means that the alarm levels have been exceeded.⁴⁴⁷ The warning level enables the public administration to introduce a flood emergency service. An alarm level means the possibility of introducing a flood alarm state and with it the launch of 24-hour duties in crisis management centres. According to the definition, the warning level is “a contractual level of water informing about the possibility of a flood hazard in the event of a further increase

⁴⁴⁵ *The Act of 18 July 2007 on Water Law*, Dz.U. from 2018, item 650, 710, 1479, 1669, 1722, art. 16, point 43.

⁴⁴⁶ *List of flood types and their consequences*, ver.6 from 16.02.2011, [in:] *Report on the implementation of preliminary flood risk assessment*, available at <https://webcache.googleusercontent.com/search?q=cache:V75fsXNt9GcJ:https://lodzkie.eu/data/other/1.pdf+&cd=3&hl=pl&ct=clnk&gl=pl> [access date: 28.10.2017].

⁴⁴⁷ *A text message developed by BPM and transferred to central voivodeship crisis management structures in the event of prediction or occurrence of dangerous meteorological phenomena in accordance with the criteria set out in the Water Law and in Regulations to it*, p. 8, available at https://prudnik.pl/download/attachment/43593/klasyfikacja_stopni_groznych_zjawisk_meteorologiczno_hydrologicznych.pdf.

in water level. Most often, a warning level is assumed to be 10 cm lower than the level of the shore water. [...] an alarm level – exceeding this level indicates a threat of flooding of coastal areas in case of further water rising. [...] In many cases, only a significant exceeding of the alarm level is a signal to announce a flood alarm.”⁴⁴⁸ Therefore, it should be acknowledged that a relatively clear system for determining the beginning of a crisis situation in the form of floods has been developed. The level gauges and measuring network of electronic sensors allow for precise reading of water levels – thus giving clear indications for the introduction of alarm levels.

In principle, all – except droughts – meteorological and hydrological crisis situations have been well defined. Hurricanes in accordance with the statutory definition hurricane – it is “a wind with a speed of not less than 24 m/s, whose action causes mass damage.”⁴⁴⁹ The value of the wind speed which causes damage is to be 15–20 m/s (54–72 km/h).⁴⁵⁰ The scale of damage progresses as the wind speed increases. According to *the classification of maximum wind speeds in Poland and the effects of their operation* already at speeds of 25 to 28 m/s, hurricanes can be talked about causing significant damage to buildings, towers and chimneys and impeding the driving of passenger cars on the road. In the range of 29–32 m/s we are dealing with violent hurricane winds, causing destruction of buildings, breaking sections of power lines and impeding the driving of lorries. However, in the case of a hurricane, the wind force reaches a speed of 33–55 m/s.⁴⁵¹ Strong frosts also have their own threat scale. The first degree means that the air temperature is from –15 to –25 °C; second degree from –25 °C to –30 °C; third below –30 °C. The term large-scale fires means forest fires, as well as fires of crops (including grasses burning), agricultural buildings and residential buildings, the range of which covers more than 500 ha.⁴⁵² Among the contamination,

⁴⁴⁸ Analyses Department of Government Centre for Security, *Flood in the face of danger*, Warszawa 2013, p. 5.

⁴⁴⁹ *The Act of 7 July 2005 on the insurance of agricultural crops and livestock*, Dz.U. from 2017, item 2047; Dz.U. from 2018, item 650, art. 3, section 1, point 2.

⁴⁵⁰ *Text message drawn by BPM ...*, op. cit., p. 1.

⁴⁵¹ H. Lorenc, *Wiatr jako element zagrożenia*, “Wiad. IMGW” 1999, Vol. XXII, Iss. 2, p. 44.

⁴⁵² R. Szczygieł, *Wielkoobszarowe pożary lasów w Polsce*, “Bezpieczeństwo i technika pożarnicza”, No. 1, 2012, p. 68.

radiative threat indicators can be determined the most precisely. The plans contain only a descriptive definition and information on the causes of this threat. They are to be: "an event in the country or beyond its borders, related to nuclear material, a source of ionizing radiation, radioactive waste or other radioactive substances, causing or likely to cause radiation hazard, creating the possibility of exceeding the limits of doses of ionizing radiation specified in the binding regulations, and therefore requiring urgent action to protect employees or the public."⁴⁵³ In accordance with the quoted explanation, indicators that give the premise for launching crisis response procedures include legally binding normative acts. Thus, the Ordinance of the Council of Ministers of 27 April 2004 sets out intervention levels for individual intervention actions in the case of radiation events. The iodine action is launched when it is possible to obtain a 100 mGy absorbed dose (where the x-ray is a dose of 1–1.5 mGy, the tomography is from 8 – max. 25 mGy, radiotherapy 80 mGy).⁴⁵⁴ The order to stay indoors is issued when within two days the effective dose can reach 20 mSv. Evacuation is ordered if people can get an effective dose of 100 mSv within the next 7 days.⁴⁵⁵ Relatively precise terms also apply to infectious diseases – epidemics, epiphytes and epizootics. Although along with the update of the 2017 National Crisis Management Plan, and with it voivodeship plans indications of infectious diseases were removed. However, at communal levels, where pre-upgrade plans still exist, the range of the most serious diseases is mentioned. Among the epidemics, following have been indicated: viral haemorrhagic fever of

⁴⁵³ *National Crisis Management Plan*, part A, 2017, p. 37, available at <https://www.gov.pl/web/rcb/krajowy-plan-zarzadzania-kryzysowego> [access date: 28.10.2017].

⁴⁵⁴ In crisis management centres, as well as in territorial self-government units, distribution plans for stable iodine preparations are drawn in the event of a radiation emergency. They set the rules for conducting the campaign, the size of the distributed doses, the rules and plans for notifying the population. As an example *Distribution plan for stable iodine preparations in the event of a radiation emergency in the Bodzentyn gmina*, Bodzentyn 2016, p. 1 or *Distribution plan for stable iodine preparations in the event of a radiation emergency in the Biskupiec gmina*, 23 March 2016, available at http://www.biuletyn.net/nt-bin/_private/biskupiec/4425.pdf [access date: 04.03.2018].

⁴⁵⁵ *Regulation of the Council of Ministers of 27 April 2004 on the value of intervention levels for particular types of intervention measures and the criteria for cancelling these activities*, Dz.U. from 2004 No. 98, item 987, § 1.

tropical origin; influenza pandemic; newly emerging infectious diseases; invasive bacterial infection of the central nervous system; multidrug resistant tuberculosis.⁴⁵⁶ Currently, the indication of plans refers to the statutory list of infectious diseases.⁴⁵⁷ Epizooties have been described as infectious diseases among animals that occur “in a much larger number than in previous years of data registration. We divide animal diseases due to etiological factors into infectious diseases and non-communicable diseases. Most animal diseases are assigned to one species, but there are also those that are transmitted to animals from outside the group. From the point of view of the safety of breeding livestock, infectious diseases subject to eradication duty are important, including diseases of free-living animals that can be transferred to livestock.”⁴⁵⁸ The most dangerous infectious diseases among animals have hitherto been: foot-and-mouth disease, classical swine fever, bird flu⁴⁵⁹, suspected swine fever, bluetongue disease.⁴⁶⁰ Currently, reference was made to the statutory definition of the diseases catalogue.⁴⁶¹ Among the epiphytes, following diseases that could cause significant losses were mentioned: dieback of pine shoots, stump root rot, phytophthora.⁴⁶² Public administration has prepared *Preparedness plans for combating infectious animal diseases*,

⁴⁵⁶ *Crisis Management Plan for the Town and Gmina of Bodzentyn*, Bodzentyn 2011, p. 11.

⁴⁵⁷ *Annex No. 1 of the Act of 5 December 2008 on preventing and combating infections and infectious diseases in humans*, Dz.U. from 2018, item 151, 1669.

⁴⁵⁸ *National Crisis Management Plan*, part A, 2017, p. 29, available at <https://www.gov.pl/web/rcb/krajowy-plan-zarzadzania-kryzysowego> [access date: 28.10.2017].

⁴⁵⁹ According to data from the voivode of Świętokrzyskie, bird flu has occurred in Poland three times. “In December 2007, it appeared in 10 outbreaks in the following provinces: Mazowieckie (in the Płock and Żuromin districts) and in Warmińsko-Mazurskie (in poviats of Lidzbark, Elbląg and Ostróda).” At that time, 939 thousand birds and 3 million 950 thousand eggs were liquidated. “Previously, bird flu occurred in Poland from autumn 2005 to spring 2006.” At the end of December 2016, two outbreaks of bird flu (sub-type H5N8) were detected in the Świętokrzyskie Voivodeship. The first in Zagórze (Pińczów gmina), the second in Koryto (Czarnocin gmina). *Documents prepared for the meeting of the Voivodeship Crisis Management Team in Kielce*, WBiZK I.6321.1.2017, January 2, 2017, p. 2.

⁴⁶⁰ *Crisis Management Plan for the Town and Gmina of Bodzentyn...*, op. cit., p. 13.

⁴⁶¹ *Annex No. 2 of the Act of March 11, 2004 on the Protection of Animal Health and Combating Infectious Diseases*, Dz.U. from 2004 No. 69, item 625.

⁴⁶² *Voivodeship Crisis Management Plan for the Świętokrzyskie Voivodeship*, April 28, 2016, p. 10, available at <http://czkw.kielce.uw.gov.pl/czk/wojewodzkie-centrum-zarz/wojewodzki-plan-zarzadzania> [access date: 12.08.2017].

which contain procedures and instructions for dealing with the control of individual disease entities. The plans also include procedures for services involved in the disease eradication action. Chemical pollution on land should be associated with the list of dangerous goods, the carriage of which is subject to the notification obligation. These are explosives and explosive items requiring the marking of the transport unit with orange boards. Gases of groups: T, TF, TC, TO, TFC and TOC.⁴⁶³ Goods included in the 1st packing group⁴⁶⁴, including perchlorate, ammonium nitrate and fertilizers based on ammonium nitrate; infectious materials category A.⁴⁶⁵

Therefore, it should be stated that in practice such measurable indicators of occurrence for crisis situations were developed as: flood, hurricane winds, severe frosts, large-scale fires, epidemics, epiphytes, epizooties, and contaminations. Other crisis situations should be grouped into types that, due to their multifaceted nature, cannot have a precise indicator and those that should be specified in more detail. The first group includes: threats to telecommunication systems; disturbances in the power system; disturbances in the fuel system; disturbances in the gas system; building disasters; terrorist threat; cyberspace threats. All these crises can have different causes, scale and quality of threats. The second category includes: landslides; drought / heat and social protests.

It turns out that in practice of crisis management system functioning, droughts especially constitute a crucial point. Their scope and thus the acknowledgment was not fully defined in the crisis management plans. In the plans, their characteristics boil down to typologisation due to the reason for occurrence.⁴⁶⁶ In the voivodeship documents of the commission

⁴⁶³ T poisonous TF poisonous, combustible TC poisonous, caustic TO poisonous, oxidizing TFC poisonous, combustible, caustic TOC toxic, oxidizing, caustic.

⁴⁶⁴ It is defined in detail by the so-called ADR agreement. *European agreement concerning the international carriage of dangerous goods by road (ADR)*, drawn up in Geneva on September 30, 1957, Dz.U. from 2009 No. 27, item 162.

⁴⁶⁵ *Annex to the Ordinance of the Minister of Transport of 4 June 2007 on dangerous goods, the carriage of which by road is subject to the notification obligation*, Dz.U. from 2007 No. 107, item 742.

⁴⁶⁶ *National Crisis Management Plan, part A, 2017*, p. 34, available at <https://www.gov.pl/web/rcb/krajowy-plan-zarzadzania-kryzysowego> [access date: 28.10.2017] with Świętokrzyskie Voivode, *Documents prepared for the meeting of the Voivodeship Crisis Management Team in Kielce*, op. cit., p. 18.

for estimation of losses caused by unfavourable weather phenomena drought means losses of crops that took place from April 1 to September 30. In addition, there had to be “a drop in the water balance below the value specified for individual species of crops and soils.”⁴⁶⁷ Detailed balance values have been specified in the Regulation of the Minister of Agriculture.⁴⁶⁸ It does not change the fact that the document contains indicators helpful in the work of the commission, but not entirely useful for the activities of the crisis management system. During the drought of 2018, the gminas appointed loss assessment committees, but most often no meetings of crisis management teams were convened and procedures were not launched.⁴⁶⁹ The lack of clear indicators in crisis management plans regarding the phenomenon of drought raises problems with the launching of funds from the budgetary reserve for crisis management. Local governments launch a reserve, expose themselves to arbitrage of the Regional Audit Chamber.

Voivodeship, powiat and gmina Plans remain consistent with the national document. In the Plans procedures for dealing with 20 situations mentioned above have been assigned. In practice of crisis management system functioning, without procedures one cannot speak about the necessary (because normatively imposed) undertaking of activities. Thus, due to the separation of classifications, one cannot speak about a crisis situation with threats going beyond the mentioned catalogue. Therefore,

⁴⁶⁷ *Annex No. 1 to the Ordinance of the Świętokrzyskie Voivode No. 62/2017 of 20 June 2017 on procedures for estimating losses in agricultural holdings and special sections of agricultural production and in residential buildings where damage caused by adverse weather events occurred*, pp. 1–2, available at <https://czkw.kielce.uw.gov.pl/download/4/23160/Zarządzenie-szacowa-niestratwogospodarstwachrolnych.pdf> [access date: 12.08.2017].

⁴⁶⁸ *Annex No. 1 of the Ordinance of the Minister of Agriculture and Rural Development of 22 March 2017 on the value of climatic water balance for particular species of crops and soils*, Dz.U. from 2017, item 732, pp. 2–3.

⁴⁶⁹ Sample documents confirming expressed statements: *Regulation No. 105/2018 of June 29, 2018 of the Mayor of the City of Busko Zdrój in the matter of establishing a personal composition of the Gmina Commission for the estimation of the consequences of natural disasters in agriculture in the Gmina of Busko Zdrój*, available at Gmina's Units. Leszczyński, similar regulations refer to the estimation of losses caused by frost in April 2017 *Regulation No. 26/2017 Voigt of the Gmina of Iwaniska of 25 April 2017 regarding the appointment of the Gmina Commission for the assessment of the consequences of natural disasters in the area of the Gmina of Iwaniska*, available at Gmina's Units.

when writing about crisis situations, I mean situations that exceed the means and sources of public administration and fall within the scope of 20 categories of threats.

Crisis management is therefore the activity of public administration bodies – self-government and government – in reaction (prevention, planning, reacting and reconstruction) to one of 20 crises situations, whose control requires unified mutual support of public administration, owners of critical infrastructure and other entities (described in the previous part of the work).

Thus the statutory “inadequacy of possessed capabilities and resources” should be understood as the need to support the public administration (in a strict sense) responsible for crisis management by the public administration in a large sense and the critical infrastructure owners, institutes and subjects assigned to the crisis situation actions. In this definition, the scale of the phenomenon is considered less relevant for defining the crisis situation. The basic determinant of the scope of the concept is the capacity of the public administration and specialized organizations. In other words, the beginning of a crisis situation marks the need for the cooperation of administrations and services. By the way, I determine the beginning of a crisis situation not by, for example, the strength of the wind, but by the insufficiency of capabilities and resources. This conclusion finds the justification of that in practice. The example of 2014 energetic crisis in Skarżysko-Kamienna shows that the scale of event is less relevant than the potentiality of resources and capability. Despite huge losses (according to calculations only in that area 27,000 people suffered lack of electricity) the authority of Skarżysko did not initiate the procedures of crisis management and did not use the special budgetary reserve for crisis situations. Resources and means of City Plants were sufficient to solve the situation.⁴⁷⁰ It should only be reminded that the Municipal Water and Sewerage Company Ltd. equipped with a 250 kW generating set that can supply 2 deep well pumps with a capacity of 8,070 m³ per day. They have a fuel supply for 6 days of continuous

⁴⁷⁰ *Descriptive report on the implementation of the budget for 2014 in Skarżysko Kamienna. Tabular version*, p. 58, available at <http://bip.skarzysko.pl/arttykul/172/3121/sprawozdanie-z-wykonania-budzetu-gminy-skarzyska-kamiennej-za-2014-rok> [access date: 28.10.2017].

work. In addition, the company had a 100 kW aggregate and two mobile aggregates of 44 and 20 kW, which could provide an additional supply of water, e.g. at pumping stations. Similarly, other municipal companies were also prepared: Municipal Thermal Energy Enterprise of Skarżysko (Energetyka Ciepła Miasta Skarżysko) and Municipal Transport Company (Miejska Komunikacja Samochodowa).⁴⁷¹ Also the example of droughts as an emergency situation indicates that no water balances for individual plant and soil species, but the need for cooperation between public administration authorities is the beginning of a crisis situation. Similar – growing at the interface between the normative and practical aspects of crisis management – opinions can be found in the literature on the subject. In W. Skora's opinion, “although it was certainly possible to talk about a catastrophe and a huge tragedy, neither the catastrophe of the hall in Chorzów nor the fire of a social building in Kamień Pomorski were a crisis situation. In contrast to the first phase of action after the outbreak of influenza AH1N1, when it was necessary to coordinate the activities of border services with sanitary-epidemiological service.”⁴⁷² Thus, in the accepted – functional and pragmatic – research perspective, the necessity of cooperation should be considered the beginning of a crisis situation.

The concept of the crisis has been clarified by the Constitutional Tribunal. In the verdict of 21 April 2009, the Tribunal stated that “the crisis situation is something very different from the constitutional states of emergency. Accordingly, it should be included in the ‘normal’ functioning of the state.”⁴⁷³ It repeated its position with respect to the amended Act in 2012.⁴⁷⁴ The Tribunal ruled that the Constitution of the Republic of Poland of 2 April 1997 recognizes only two states of state functioning – normal and emergency state, in which the restriction of liberty and human and

⁴⁷¹ Lists of equipment obtained at the Office of the City of Skarżysko-Kamienna.

⁴⁷² W. Skora, *Struktura zarządzania kryzysowego w państwie – logika systemu*, [in:] *Bezpieczeństwo i zarządzanie kryzysowe – aktualne wyzwania*, M. Włodarczyk, A. Marjański (eds.), Vol. 5, SWSPiZ, Łódź 2009, p. 136.

⁴⁷³ *Constitutional Tribune Sentence of 21 April 2009*, ref. K 50/07, Dz.U. from 2009 No. 65, item 553, p. 6, available at <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20090650553> [access date: 28.10.2017].

⁴⁷⁴ *Constitutional Tribune Sentence of 3 July 2012*, ref. K 22/09, Dz.U. from 2012, item 79, available at <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20120000799> [access date: 28.10.2017], pp. 9–10.

civil rights are completely different. Crisis situation falls into the limits of normal situation because it does not give rise to restriction reserved for emergency states.⁴⁷⁵ Therefore, the need for co-operation between the public administration and the specialized units should be considered as the beginning of the crisis. On the other hand, the introduction of emergency states determines its typological end. What is more, the pragmatism of the crisis management system in Poland indicates that the special-purpose reserve in the budgets of local governments for crisis management cannot be activated on the basis of the act on natural disaster.⁴⁷⁶ Three constitutional extraordinary states mean: state of emergency, state of natural disaster and state of war.⁴⁷⁷ Thus, the activities of public administration bodies that will be located in crisis management may concern only activities during states of defence readiness of the time of peace and time of crisis.⁴⁷⁸ They concern the same non-military defence preparations.⁴⁷⁹

In summary, crisis management is the activity of the public administration, i.e. the voivode and the self-government administration authorities, in response to the normal state of emergency (other than constitutional emergency situations), however, beyond the strength and resources of the administration. It requires cooperation of state

⁴⁷⁵ M. Brzeziński, *Sytuacja kryzysowa w rozumieniu ustawy z dnia 26 kwietnia 2007 r. o zarządzaniu kryzysowym – analiza pojęcia*, op. cit., pp. 95–96.

⁴⁷⁶ Regional Audit Office in Kielce, *Letter from July 27, 2012 to the deputy staroste of the Kazimierz district*, p. 2. The letter clearly defines the purpose of the special reserve: "it cannot be used for tasks related to the removal of the effects of a natural disaster.", available at <https://www.rp.pl/artukul/922612-Rezerwy-kryzysowej-nie-mozna-przeznaczyc-na-usuwanie-skutkow-klesk-zywiolowych---RIO.html> [access date: 28.10.2017].

⁴⁷⁷ *Constitution of the Republic of Poland of April 2, 1997, adopted by the National Assembly on April 2, 1997, adopted by the Nation in a constitutional referendum on May 25, 1997, signed by the President of the Republic of Poland on July 16, 1997*, Dz.U. from 2009 No. 114, item 946, chapter XI.

⁴⁷⁸ *Regulation of the Council of Ministers of September 21, 2004 on defence preparedness of the state*, Dz.U. from 2004 No. 219, item 2218, § 3.1, 4.1.

⁴⁷⁹ I am aware that in the practice of the operation of crisis management centres – especially provincial centres – a number of activities in the field of military preparations are carried out. In addition, during the war, the centres will continue to fulfil their functions in the field of civil defence. In addition, according to the explanations from the previous chapter, for example, the Regulations of Voivodeship Crisis Management Centre in Kielce imposes duties on the Centre regarding extraordinary states. *Ordinance of Świętokrzyskie Voivode No. 3/2011 of 20 January 2011 on establishing the Regulations of the Voivodeship Centre...*, § 9, point 4, 11.

authorities responsible for crisis management with the services, inspections and owners of critical infrastructure and other entities indicated in the crisis management plans. It applies to 20 categories of threats. The damage scale is a secondary issue for determining the beginning of a crisis situation.

4.2. NORMATIVE-PRAGMATIC STRUCTURE OF CRISIS MANAGEMENT IN POLAND

A functional approach to the description of the crisis management structure – appropriate for the presented work – enforces the verification of normative findings in practice. The conclusions drawn on this basis indicate possible deviations from the normative structure of crisis management in Poland. In addition, they enable defining the character of relations between particular levels of crisis management.

Based on the adopted findings, it should be stated that ‘deviations’ in the normative structure of crisis management do not concern its vertical arrangement. In practice, the five-level hierarchy of task division has been preserved. Deviations from normative regulations can be observed only in the ways of organizing elements of crisis management at individual levels of the structure.

Recognizing 24-hour duty as a constitutive feature of the crisis management centre, it should be noted that the Operational-Analytical Centre within the framework of the Planning and Analyses Office RCB (Government Centre for Security) fulfils the role of the national crisis management centre. It does not change the fact that other offices play specific roles in relation to the crisis management system in Poland. An extremely important element of RCB’s operations for the Polish crisis management system is international cooperation within NATO (United Nations) and the European Union. In this aspect, RCB is a kind of ‘interface’ of the Polish

system. It introduces – through training⁴⁸⁰, agreements⁴⁸¹ and coherence of critical infrastructure protection plans – solutions developed in both alliances. It is a contact point within the framework of CECIS (*The Common Emergency Communication and Information*), which is a secret database on the resources that member states can provide in the event of a threat or catastrophe, disaster and crisis. Its task is to facilitate communication in crisis situations.⁴⁸²

Central authorities at the departmental level of crisis management use the statutory possibility of transferring the obligation to conduct round-the-clock duties to the units subordinate to them.⁴⁸³ On the background of the ministerial practice, conclusions need to be drawn in determining the relevant feature of distinguishing the crisis management system. The maintenance of the information flow and thus the organization of crisis management centres (even in the form of seceding of responsibilities) should be considered as an important function of the system. As it turns out the catalogue of central administration bodies that set up crisis management teams has significantly exceeded⁴⁸⁴ the number of thirteen institutions

⁴⁸⁰ The most frequently conducted trainings should be included *Renegade* and *CMX*, available at <https://rcb.gov.pl/wspolpraca-w-ramach-nato/> [access date: 11.09.2018]

⁴⁸¹ It concerns Civil Protection Mechanisms. At present, Poland has at its disposal these Mechanism modules: a module of the medium search and rescue group intended for operations in urban areas (MUSAR); heavy search and rescue group module for urban areas (HUSAR), high performance pump modules (HCP), module for detecting chemical, biological, radiological and nuclear contamination and sampling (CBRN), modules for forest fires extinguishing from the ground, using vehicles (GFFV). A. Krzemińska, *Państwowa Straż Pożarna w działaniach poza granicami kraju*, "Obronność. Zeszyty Naukowe" 2016, No. 3(19), p. 114.

⁴⁸² D. Wróblewski, *Zadania ogólne z zakresu zarządzania ryzykiem i zarządzania kryzysowego. Analiza wybranych przepisów*, Józefów 2014, p. 104.

⁴⁸³ *The Act of April 26, 2007...*, op. cit., art. 13, section 2a. This is a change introduced in 2009 under the amendment to the Act. The legislator explained in the justification that it "creates conditions for ministers and central government administration bodies to meet the obligation to set up a crisis management centre, not so far – only in the authority servicing the body – but in the most convenient and adapted place." *Justification for the draft Act amending the act on crisis management together with draft executive acts*, Sejm Paper No. 1699, p. 8.

⁴⁸⁴ For example: *Ordinance of the Minister of Science and Higher Education of October 2, 2012 on the organization, composition and place and mode of work of the Crisis Management Team in the Ministry of Science and Higher Education*, Dz. Urz. MNiSW from 2007 No. 5, item 60 with later changes, or *Ordinance No. 1 of the President of the Central Statistical Office of January 20, 2012 amending the ordinance regarding the appointment of the Crisis Management Team in the Central Statistical Office*, Dz.U. GUS from 27 January 2012, item 4.

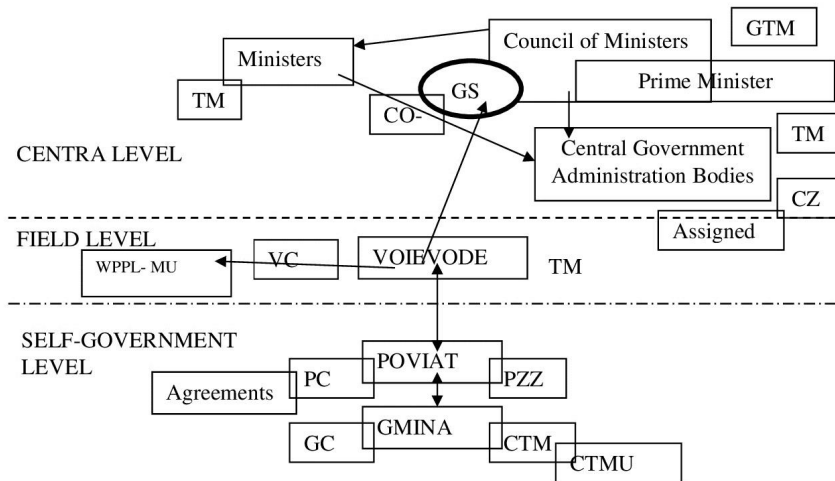
indicated in the regulation of 2009.⁴⁸⁵ The creation of teams by the ministries and central bodies resulted directly from the statutory obligation.⁴⁸⁶ However, in the literature on the subject of the crisis management system, they are not mentioned as a special element of the system.⁴⁸⁷ Conducting consultancy and advisory activity is considered as an irrelevant function of the system separation. It is a position consistent with the functional-pragmatic research perspective, until the description concerns the crisis management system. That is to say, if we take as a criterion for extracting elements of the system the function that the set elements (subsystems) satisfy for the whole (supra-system). In the work, however, another criterion was used to distinguish the components – not the system, but the structure (*in a narrower sense and in a broader sense*). It has been established that crisis management is the relationship between legal norms and practice. On the basis of the content of acts and ordinances, the bodies responsible for crisis management were distinguished. In practice, it was checked how they fulfil their duties. Thus, according to the research perspective presented in the work in the structure of crisis management *in the narrower sense*, one should also include departmental crisis management teams. In advance of further explanations, the whole structure can be represented graphically. What the following diagram presents.

⁴⁸⁵ *Regulation of the Council of Ministers of December 15, 2009 on defining government administration bodies that will establish crisis management centres and how they operate*, Dz.U. 2009 No. 226 item 1810.

⁴⁸⁶ *The Act of April 26, 2007...*, op. cit., art. 12, section 2b.

⁴⁸⁷ K. Sienkiewicz-Małyjurek, F.R. Krynojewski, *Crisis management in public administration*, Warszawa 2010, p. 49.

Fig. 12. Structure of crisis management



LEGEND:

- ↑ Transmitting information, Decisions, Implementing procedures above Central level.
- GTM – Governmental Team for Crisis Management
- GS – Governmental Centre for Security
- TM – Crisis Management Teams of different levels
- VC – Voivode Crisis Management Centre
- PC – Poviat Crisis Management Centre
- GC – Gmina Crisis Management Centre
- CTM – Gmina Crisis Management Centre based on Crisis Management Teams
- CTMU – Gmina Crisis Management Centre based on Crisis Management Teams and Gmina Unit
- MU – Marshal Unit
- WPPL – Water Plant Polish Waters

Own elaboration based on: T. Mołek, K. Stec, R. Marciniak, *Crisis management in the system of national security management*, “Non-military aspects of security” 2011, No. 17, p. 55.

As an explanation, in the presented diagram, ZZK means crisis management teams, CZK – crisis management centres. CO-A refers to the Government Centre for Security Operational and Analytical Centre. GWWP means Water Farm of Polish Waters. ZMGW is an abbreviation for the Boards of Land Reclamation and Water Management (the reasons for separating these entities are explained below). At county level, centres can be organized in a classic form and through agreements. Gminas have

several solutions for organizing a centre, including the transformation of gmina crisis management teams (GZZK) into gmina crisis management centres (GCZK) – see below.

Along with the amendment of *The Water Law Act*, the voivodeship self-governments were virtually excluded from the structure of the crisis management system. Admittedly, in accordance with Article 15 of the Act on Crisis Management, “the voivodeship board participates in the implementation of tasks in the field of crisis management, including civil planning, arising from its competences”⁴⁸⁸, however, until 2018 the local government was the owner of flood protection warehouses. Therefore, it played a significant role in crisis response during floods. From January 1, 2018 this task was taken over by the voivode, which in practice resulted in the need to regulate the issue of ownership of land and to equip the warehouses. What is more, the statutory regulation caused the liquidation of the Board of Land Reclamation and Water Facilities – budgetary units of the voivodeship self-government, which managed the warehouses – and the takeover of their tasks by the State Water Farm Polish Water.⁴⁸⁹ The process of handing over the assets forced extending the time of liquidation of the Management Boards. According to the explanations of voivodeship Sejmik: “activities related to taking over tasks and property were delayed, at least 5 months. An important problem is the refusal to take over by State Water Farm Polish Water amenities such as culverts, bridges and access roads. According to the President of the Polish Waters, such amenities cannot be taken over because they do not constitute water facilities in the light of the definition contained in the

⁴⁸⁸ *The Act of April 26, 2007...*, op.cit., art. 15.

⁴⁸⁹ *Resolution No. 3394/17 of the Management Board of the Świętokrzyskie Voivodeship dated 28 December 2017 regarding the free transfer of property constituting the equipment of Provincial Anti-flood Warehouses in Grotniki Duże, gmina. Nowy Korczyn and Winiary, gmina Dwikozy (in particular necessary to conduct flood control actions) to the Świętokrzyskie Voivode and authorization of Mrs. Anna Kozięło – Director of the Świętokrzyskie Board of Land Reclamation and Water Facilities in Kielce to undertake organizational and material-technical activities regarding the protocol of issuing the property of the Voivodeship Flood Warehouses in Grotniki Duże, gm. Nowy Korczyn and Winiary, gmina Dwikozy, Voivode of Świętokrzyskie together with the conclusion of a contract for the lending of these real estates pending the final settlement in the scope of disposing of real estates owned by the Świętokrzyskie Voivodeship, available at Gmina's Units.*

Water Law Act. At present, only floodbanks and pumping stations are taken over by the RWMW Kraków from the liquidator of Świętokrzyski Board for Water Equipment and Melioration (SZMiUW). The lists with the remaining property are awaiting verification. Doubts concern at least 18% of fixed assets included in the records of liquidated SZMiUW from the group 2-buildings (60 items). These are mainly bridges, culverts and agricultural roads.”⁴⁹⁰ Currently, the structure of the crisis management system at the provincial level is to some extent tripartite. This means that the voivode is responsible for crisis management in the voivodeship, the voivodeship board in a similar measure with State Water Farm Polish Water is still responsible for flood protection of subordinate areas. The liability of both entities is also indicated by court decisions: in the verdict of the District Court in Kraków, reference number 1C1419110 which established liability of both the Świętokrzyskie Voivodeship and the State Treasury for flood damage in Sandomierz in 2010.⁴⁹¹ It can therefore be assumed that this is a situation of ‘bending’ the normative structure of crisis management in contact with the system's practice. Pursuant to the Act, from 2018, the issues of the voivodeship board's participation in the crisis management system should be resolved. Practice indicates – at least in the Świętokrzyskie Voivodeship – that the state of adjustment to the requirements of the Act will last at least until 2019.

The practice of the system's operation reveals the tasks of the voivodeship marshal, which do not result directly from the act on crisis management. Namely, voivodeship crisis management plans provide for “development of social assistance programs, vocational training of social assistance staff, and organization and conduct of regional social assistance organizational units” as the Marshal's task in the flood prevention phase⁴⁹²

⁴⁹⁰ *Justification Resolution No. XLV11646/18 of the Sejmik of the Świętokrzyskie Province of June 28, 2018 regarding the amendment of the Resolution No. XXXVIII535/17 of the Sejmik of the Świętokrzyskie Voivodeship of 23 October 2017 on the liquidation of the voivodeship self-government organizational unit – budgetary unit under the name Świętokrzyskie Board of Melioration and Water Equipment in Kielce*, p. 1, available at <http://bip.sejmik.kielce.pl/download/59098-rejestr-uchwal/156-rejestr-uchwal-sejmiku/59098.html> [access date: 11.09.2018].

⁴⁹¹ *Ibid.*, p. 3.

⁴⁹² *Voivodeship Crisis Management Plan of the Świętokrzyskie Voivodeship from 25.09.2018*, p. 51.

which apart from the consultative and advisory role exhausts the tasks of voivodeship self-government in crisis management.

At the powiat level one should talk about several parallel, though common to some degree, solutions of organizing the elements of the crisis management structure. The differences relate to the ways of organizing crisis management centres. The most widespread method of ensuring the 24-hour flow of information in the crisis management system are agreements made by the staroste with units of the State Fire Service. This solution is so common and popular that it has found legal binding in *the amendment to the Crisis Management Act*. In most cases, powiat crisis management units are too small organizational structures to conduct round-the-clock on-call duties. The amendment has enabled powiats “to choose the location and mode of operation of the centre that is most effective for a given local government unit; allowed for the creation in places which are at the same time the seat of powiats and cities with the rights of powiats, a joint crisis management centre covering the area of both territorial self-government units.”⁴⁹³ An example of using this type of permission can be found in the city of Krakow. The Powiat Crisis Management Centre of the City of Krakow operates within the framework of the Integrated Crisis and Rescue Management Centre in the building of the Municipal Headquarters of the State Fire Service. The employees of the Security Department and Crisis Management of the City of Krakow are on a 24-hour duty. PCZK prepares daily reports on the state of security for the Mayor of the City of Krakow.⁴⁹⁴ It is the situation of creating a common centre for the municipality town and the powiat starosty in the external structure towards both, however, based on the personnel of the magistrate. There are also other solutions to the issue of running a centre by powiats. The obvious practice is to create classically organized centres within the powiat starosty. They are then the organizational unit of the office and have their own full-time employment structure. Examples of such solutions can be found in the city of Poznań. Staroste of Poznań PCZK

⁴⁹³ *Justification for the draft Act amending the act on crisis management together with draft executive acts*, Sejm paper No. 1699, p. 7.

⁴⁹⁴ *Regulation No. 664/205 of the Mayor of the City of Kraków of 25/03/2015 regarding the appointment of the Crisis Management Team of the City of Krakow*, op. cit., § 12

operates in the Starosty building within the framework of the Department of Security, Crisis Management and Civil Affairs. The 24-hour on-call duty is performed by the employee on duty. In the event of a crisis, on-call duty is carried out in a shift system.⁴⁹⁵ There are other ways to organize the centre. In the Powiat of Pruszków, PCZK operates on the basis of the position of the head of the Powiat Command of the State Fire Service. However, it is supplied by an employee of the powiat office. The manager's position has been increased from the number of three officers on duty to four – the fourth is an employee of the staroste serving number 112 – working during the office of the Starosty.⁴⁹⁶

It should therefore be acknowledged that the structure of crisis management at the powiat level does not deviate from the normative regulations. In accordance with the Act, powiats cede the duty of round-the-clock duties or organize their own crisis management centres. The differences that reveal the practice concern the form of assigning duty, but not the structure itself.

Much more complex realities are observed at the gmina level. Here, a minimum of four different solutions can be distinguished: 1) No centre – activities based on a single post. This is the most common form of crisis management activities at the gmina level.⁴⁹⁷ 2) Classic organization of the centre as a city office unit.⁴⁹⁸ 3) A classic centre developed only in the event of a crisis or flood.⁴⁹⁹ 4) Transforming the gmina crisis management team into a crisis management centre in case of a crisis situation. In this case, the solution variants can be distinguished as follow: 4.1) The Team Regulations provide for the assignment of responsibility to the whole Team for fulfilling

⁴⁹⁵ *The ordinances of Poznań Staroste No. 45/2015 of 22 April 2015*, op. cit., § 5.

⁴⁹⁶ G. Sobolewski, *Organizacja i funkcjonowanie...*, p. 84.

⁴⁹⁷ A minimum of 80 gminas with 102 in the Świętokrzyskie Voivodeship bases their functioning within the crisis management system on this type of solution.

⁴⁹⁸ *The order of the Mayor of the City No. 141/2017 of 26/05/2017 regarding the change of the Organizational Regulations of the Municipal Office in Skarżysko-Kamienna*, § 1, section 21, available at <http://bip.skarzysko.pl/zarzadzenia/25> [access date: 11.09.2018].

⁴⁹⁹ *Annex No. 2 to Regulation No. 100/2016 of the Voigt of the Samborzec Gmina of June 22, 2016...*, op. cit., § 18.

the Centre's statutory functions during a crisis situation.⁵⁰⁰ 4.2) Working groups have been created within the Team. In the event of a crisis, the Team's regulations impose an obligation to fulfil the statutory functions of the Centre on a selected working group.⁵⁰¹

Assigning the statutory functions of the crisis management centre to the crisis management teams is a deviation from the normative structure. They should be considered as a measurable example of how the crisis management structure is shaped in the relation of practice and legal norms.

⁵⁰⁰ The full team is required in the response phase not only to work 24/7, but also to maintain a 24-hour information flow in the crisis management system. *Regulation No. 45/2011. Voigt of Kije Gmina from August 5, 2011 regarding the establishment of Gmina Crisis Management Team*, § 6, points 4, 6 available at http://www.biuletyn.net/nt-bin/_private/kije/1465.pdf [access date: 11.09.2018] and *Annex No. 1 Regulation No. 45/2011 Voigt of Kije Gmina of August 5, 2011 Regulations of the Gmina Crisis Management Team*, §3, points 2.3 b, d, available at http://www.biuletyn.net/nt-bin/_private/kije/1465.pdf [access date: 11.09.2018].

⁵⁰¹ "The tasks of the monitoring group, forecasts and analyses include: 1) providing, if necessary, 24 hour duty hours by the members of the gmina team; 2) forecasting threats and developing procedures for their elimination or limiting the consequences; 3) overseeing the warning and alarm system; 4) maintaining a database of forces and means necessary for effective response (including the lists of experts and advisors); 5) ensuring a constant exchange of information with the voivodeship, powiat and neighbouring gminas; 6) monitoring of threats and efficient transmission of data to individual groups; 7) preparation of current documentation of activities; 8) conducting activities in the area of warning and alerting people; 9) coordination of cooperation with mass media; 10) preparation of analyses on threats, actions and conclusions and proposals for the development of the situation." *Annex No. 3 to Regulation No. 12/2016 of the Voigt of the Town and Gmina of Koprzywnica of March 23, 2016. The regulations of works of the Gmina Crisis Management Team in the event of a flood occurring within the Gmina of Koprzywnica*, point 2.1 available at <http://koprzywnica.bip.gmina.pl/upload/12..pdf> [access date: 11.09.2018].

Tab. 6. Crisis management system with its deviations

THE CRISIS MANAGEMENT SYSTEM				
Administrative level	Crisis management body	Consultative and advisory body	Crisis Management Centre	Deviations
National	Council of Ministers, Prime Minister	Government Crisis Management Team	Government Centre for Security	The Operational-Analytical Centre as a part of the Planning and Analyses Office is the national centre of crisis management
Departmental	The minister heading the government administration department, the head of the central body	Crisis Management Team (ministry, central office)	Crisis Management Centre (ministry, central office)	Most often, no additional units are created. The duty of round-the-clock duties was ceded to subordinate units that were already on duty

THE CRISIS MANAGEMENT SYSTEM				
Administrative level	Crisis management body	Consultative and advisory body	Crisis Management Centre	Deviations
Voivodeship	Voivode	Voivodeship Crisis Management Team	Voivodeship Crisis Management Centre	Three ways responsibility for warehouses and flood protection infrastructure (Voivode – Water Farm of Polish Waters – Board of Land Reclamation and Water Management)
Poviat	Poviat Staroste	Poviat Crisis Management Team	Poviat Crisis Management Centre	Two ways to organize round-the-clock duties: 1) Establishment of a classical crisis management centre; 2) Agreements with PSP units that conduct round-the-clock duties

THE CRISIS MANAGEMENT SYSTEM				
Administrative level	Crisis management body	Consultative and advisory body	Crisis Management Centre	Deviations
Gmina	Voit, Mayor, Mayor of the city	Gmina Crisis Management Team	There can be created (no obligation to create) gmina (city) crisis management centres	Gmina Crisis Management Teams perform functions or are transformed into Gmina Crisis Management Centres

Own elaboration based on: T. Mołek, K. Stec, R. Marciniak, Crisis management in the system of national security management, “Non-military aspects of security” 2011, No. 17, p. 55.

Finally, it is worth mentioning two current trends in the development of crisis management in Poland. One goes beyond the framework of crisis management understood in accordance with the Act on Crisis Management. This is crisis management in the financial sector. The second is a development trend in the crisis management system in Poland itself and concerns enterprises.

Crisis management in enterprises takes two forms: obligatory and concerns enterprises being part of critical infrastructure of the country⁵⁰² and optional in enterprises that are not part of it. In the first case, the company is obliged to create personnel positions responsible for reacting in crisis situations. The company's personnel take part in trainings carried out by territorially relevant crisis management centres.⁵⁰³ Things are different in enterprises that are not part of critical infrastructure. Municipal enterprises or budgetary establishments also create internal structures in the event of dangerous incidents – even though they are not obliged to do so. It is a ‘grassroots’, synergetic action resulting from the need to secure the functioning of enterprises. These are solutions

⁵⁰² W. Skomra, *Współpraca administracji z sektorem gospodarczym na rzecz ochrony infrastruktury krytycznej*, “Nauki o Zarządzaniu” 2017, No. 1(30), p. 63.

⁵⁰³ *Training plan of the Voivodeship Crisis Management Centre in Kielce for 2018*, available at Voivode Unit in Kielce.

expanding the scope of the crisis management structure in Poland, as new, but not required, normative entities of this process are created.⁵⁰⁴ In Poland one can also observe activities called crisis management in private enterprises. However, it is not part of the crisis management structure discussed in this work. First of all, it does not apply to public administration – and as it was established at the beginning – the work is devoted to such activity. Secondly, the crisis is understood here quite differently from the crisis situation indicated in the Act on Crisis Management. Crises mean a wide catalogue of threats relevant to the nature of the enterprise.⁵⁰⁵ They are therefore a broader category than the one which is the subject of the presented work.

In the Polish normative system, we can distinguish one more – the third – understanding of the crisis situation (the first is connected with the activity of public administration, the second with the activity of private enterprises, the third institutions of the financial sector). In this sense, management includes action to maintain or restore the stability of the financial system in the event of a direct threat to this stability.⁵⁰⁶ In Poland, this type of activity was the implementation of *The Directive of the European Parliament and the Council of the European Union of 26 June 2013 on the conditions for the admission of credit institutions to activities and prudential supervision of credit institutions and investment firms*. In the discussed approach, the crisis situation means a threat to the stability of the financial system. This is not about the threat of people (life and health), the physical threat to property and the environment, but about the danger to financial mechanisms.

Crisis management in this approach consists in monitoring and responding to threats, using the so-called macroprudential instruments. In the light of the provisions of the *Act on Macroprudential Supervision over the Financial System and Crisis Management in the Financial System*, the Financial Stability Committee received the competence to carry out crisis management tasks in

⁵⁰⁴ An example of this type of solutions is the appointment of a single-person position in Municipal Service Plants or Water and Sewage Enterprises.

⁵⁰⁵ R. Wróblewski, *Wybrane problemy zarządzania przedsiębiorstwem w sytuacjach kryzysowych*, "Zeszyty Naukowe Uniwersytetu Przyrodniczo-Humanistyczny w Siedlcach" 2010, No. 87, p. 52.

⁵⁰⁶ *The Act of 5 August 2015 on macro-prudential supervision of the financial system and crisis management in the financial system*, Dz.U. from 2017, item 1934; Dz.U. from 2018, item 650, 2243, art. 2.1.

the event of a direct threat to financial stability. The body included: President of the National Bank of Poland, Minister of Finance, Chairman of the Financial Supervision Commission and President of the Management Board of the Bank Guarantee Fund. The tasks of this authority in the scope of macroprudential supervision include in particular: 1) the application of macroprudential instruments, including presenting statements and issuing recommendations, 2) identification of financial institutions posing a significant risk to the financial system, 3) cooperation with the European Systemic Risk Board, other EU bodies and macroprudential supervision authorities of Member States. Macroprudential instruments introduced pursuant to the Act under review should also include the possibility of determining capital buffer rates, i.e. conservation buffer⁵⁰⁷, countercyclical buffer⁵⁰⁸, systemic risk buffer⁵⁰⁹, global systemically important institutions buffer⁵¹⁰, other systemically important institutions buffer⁵¹¹ and their deadlines.

⁵⁰⁷ An obligation has been introduced to maintain capital of the highest quality (ie used to cover losses in terms of their solvency), which is to constitute 2.5% of the total risk exposure amount.

⁵⁰⁸ A macroprudential tool that is expected to contribute to neutralizing the impact of the business cycle on lending. The countercyclical buffer consists in the fact that in good times (credit growth), financial institutions are obliged to maintain a stock of funds at a certain level, so that in times of economic downturn (when economic activity weakens) it can be used to maintain lending to the real economy. *The Act of 5 August 2015 on macroprudential supervision...*, op. cit., art. 21–32.

⁵⁰⁹ Possibility to impose an obligation to maintain an additional amount of capital of the highest quality (used to cover losses under the solvency conditions of a financial institution) in a situation where the institution creates a non-cyclical systemic risk or is exposed to them. The Minister of Finance was obliged to assess the adequacy of the systemic risk buffer ratio and the types of exposure to which it applies at least every two years (he should take into account the recommendations of the Financial Stability Committee). *Ibid.*, art. 50.

⁵¹⁰ Possibility of imposing an obligation to maintain an additional specific amount of capital of the highest quality by institutions recognized as “global systemically important institutions.” The catalogue of these institutions is defined by the Polish Financial Supervision Authority on the basis of such criteria as: (1) the size of the group of which the system is of systemic significance, (2) interconnectedness of the group with the financial system, (3) substitutability of services or financial infrastructure, provided by a given group, (4) complexity of a given group, (5) cross-border activity of a given group. *Ibid.*, art. 36. The capital reserve of the highest quality required from global systemically important institutions is (depending on the systemic importance of the institution) from 1 to 3.5% of risk-weighted assets. *Ibid.*, art. 34, § 3

⁵¹¹ The Polish Financial Supervision Authority, by decision, after consulting the Committee, identifies and assigns other systemically important institutions (not exceeding 2% of the total risk exposure amount). *Ibid.*, art. 38. The catalogue of these institutions is determined on the

Crisis management of the finance sector is therefore a separate activity towards the crisis management system in Poland. It is based on other bodies (the Financial Stability Committee) and carries out separate tasks – maintaining national financial stability.

4.3. FUNDING CRISIS MANAGEMENT IN A NORMATIVE-PRAGMATIC APPROACH

The issue of crisis management financing is regulated in detail by *the Crisis Management Act*, but in the general aspect of the Act: *on public finances and on income of local government units*. Executive bodies of the crisis management system and members of the management teams do not receive any additional emoluments for participating in the system. The only exception is the so-called special allowances introduced by the Act on incomes of local self-government units. Obligatory special allowances concern the voivode, the mayor, the president, the starosta. They are optional for administration employees. These allowances are expenditures disbursed from the budget of the unit.⁵¹² In most cases they are a part of remuneration for duties performed during the crisis situation.⁵¹³

The biggest problem in the Polish crisis management system is the issue of providing funds for the organization and maintenance of planning and coordinating units and for carrying out tasks during and after the crisis situation. Article 26 section 1 of the *Crisis Management Act* regulates the problem of ensuring the financing of crisis management tasks for the executive bodies of the system. It creates, however, various responsibilities in the field of financial management towards government, department, voivodeship and local government administration. “The financing for the carrying out of crisis management related tasks at the national level shall

.....
basis of such criteria as: (1) size, (2) significance for the Polish or European Union economy, (3) importance of cross-border activity, (4) interconnectedness of a given institution or group with the financial system. *Ibid.*, art. 39, § 5.

⁵¹² *The Act of 21 November 2008 on self-government employees*, Dz.U. from 2017, item 60, 1930, art. 36.

⁵¹³ In Bodzentyn gmina during the crisis in 2014 the amount of special allowances was: PLN 10,8 thousand. *Post audit statement LKI-4114-005-01/2014 in Gmina and Municipality of Bodzentyn*, available at https://www.nik.gov.pl/kontrole/wyniki-kontroli-nik/pobierz,lki-i_14_008_201406241050501403607050-id0-01,typ,kj.pdf [access date: 25.10.2017].

be planned within the framework of the state budget in the parts at the disposal of voivodes, the minister competent for the internal affairs and other ministers managing the sections of government administration and the central government administration bodies.”⁵¹⁴ “A special reserve shall be created in the budget of the local government unit for the carrying out of crisis management related own tasks. It shall amount up to 0.5% of the current expenditure of the local government units’ budget decreased by investment outlays, expenditure for wages and salaries and similar benefits, as well as expenditure for servicing the debt.”⁵¹⁵

Powiat and gmina self-government is obliged to create a budget reserve, which in practice is triggered in the event of crisis occurrences.⁵¹⁶ According to the practice of the operation of the Regional Audit Chamber, it should be noted that in accordance with the provision of art. 259, § 2 of the *Act of 27 August 2009 on public finances*, it is possible to appoint an optional and obligatory special reserve. The responsibility of creating a reserve, based on article 26, § 4 of the *Act on Crisis Management*, is obligatory. This means that the purposeful nature of this reserve means that if a crisis situation does not exist during the financial year, the provision cannot be discharged.⁵¹⁷

Such a situation results in the underfinancing of the crisis management system at powiat and gmina level and influences the shape of the structure. Crisis Management Centres are rarely created in gminas but there are posts such as sub-inspectors for crisis management, Civil Defence and defence affairs introduced, or of stand-alone posts for defence, civil defence, crisis

⁵¹⁴ *The Act on Crisis Management...*, art. 26.

⁵¹⁵ *Ibid.*

⁵¹⁶ In the report on the implementation of the budget in the city of Starachowice, we read explicitly: “Plan of expenses related to the task – Service of the Municipal Crisis Management Team – chapter 75421, also covered the special-purpose reserve, which in 2015 was planned at PLN 330,000.00. Funds from the special-purpose reserve in accordance with their statutory purpose may be allocated to the implementation of tasks preventing the occurrence of crisis situations and the elimination of their consequences. In the reporting period no events occurred in our city that were in the nature of crisis situations, which would have an impact on expenses under the above-mentioned specific reserve. Therefore, the funds planned under the special-purpose reserve have not been spent.” *Information on the implementation of budgetary tasks of the Crisis Management and Defence Affairs for 2015*, KSO.3035.4 from 2016, p. 1.

⁵¹⁷ Regional Audit Office in Kielce, *Letter from 18/07/2018 to Skarżysko Staroste*, WI.44.28.2018, p. 2.

management and protection of classified information.⁵¹⁸ Some gminas entrust responsibility for crisis management, for example to Heads of Civil Affairs Departments or the Department of Administration. This is an example of general treatment of the issue.⁵¹⁹ Confirmation of this observation is the fact already described that only one of the 102 gminas in the Świętokrzyskie Voivodeship established a crisis management centre. Poviats also avoid the organization of 24-hour crisis management centres within starosties. The statutory obligation of duties is ceded on the basis of an agreement with the Municipal Headquarters of the Fire Brigade.⁵²⁰

It is worth noting that the creation of a unit or the placement of a one-person position responsible for crisis management within the office's unit (e.g. a division, department, office) ensures permanent financing of crisis management. Budgetary resources earmarked for a unit can be used for crisis management – for example, accumulation of resources. In small gminas, the employee responsible for crisis management often receives a salary from the Civil Affairs Department. Thus, the funds allocated for crisis management remain limited to the statutory budget reserve launched only in crisis situations.

⁵¹⁸ *Post audit statement LKI-4114-005-02/2014 in Gmina Waśniów, 2014*, available at https://www.nik.gov.pl/kontrola/wyniki-kontroli-nik/pobierz,lki~i_14_008_201406241050501403607050~id0~01,typ,kj.pdf [access date: 25.10.2017] and also *Post audit statement LKI-4114-005-01/2014 in Gmina and Municipality of Bodzentyn*, p. 3, available at https://www.nik.gov.pl/kontrola/wyniki-kontroli-nik/pobierz,lki~i_14_008_201406241050501403607050~id0~01,typ,kj.pdf [access date: 25.10.2017].

⁵¹⁹ The mayor of Włoszczowa Gmina, *Annex to Regulation No. IX/07 of March 30, 2007 Organizational Regulations of the Włoszczowa Gmina Office*, § 19, art. 18, available at http://wloszczowa.eobip.pl/bip_wloszczowa/redir.jsp?place=galleryStats&id=14711 [access date: 25.10.2017]. Among the many tasks of the Department are listed: "organizing and securing the functioning of the Gmina Crisis Management Team and performing other tasks resulting from the Act of 18 April 2002 on the state of natural disaster." Tasks in the field of crisis management are reduced to handling GZZK, also *Annex No. 1 to Regulation No. 54/2013 of the Voigt of the Secemin Gmina of November 29, 2013. Organizational Regulations of the Secemin Gmina Office*, § 19, available at <https://doczz.pl/doc/3788336/zarz%C4%85dzenie-nr-54-2013-w%C3%B3jta-gminy-secemin-z-dnia-29> [access date: 25.10.2017].

⁵²⁰ *Annex to Regulation No. 152/2015 of Kielecki Staroste of November 6, 2015. Organizational Regulations of the District Crisis Management Centre*, available at the Powiat Starosty in Kielce, p. 4.

Voivodeship crisis management centres are most often within Security Sections of voivodeship offices.⁵²¹ Thus, it should be possible to pay with the voivodeship budget.⁵²² Government Centre for Security is a state budget unit.⁵²³ At national level, the amounts allocated for crisis management purposes are set out in the Budget Act for a given year. The funds are administered by the trustees of the budgetary units indicated in article 26, section 2 of the Crisis Management Act (voivodes, minister in charge of internal affairs and other ministers managing government departments and national government administration bodies).⁵²⁴ This type of solution guarantees permanent financing of the crisis management system. As shown in the previous chapter, the annual amounts of expenditure vary, but it does not change the fact that the Government Centre for Security and voivodeship crisis management centres have guaranteed funds in the state budget.

Territorial implementation – which the work concerns – means shifting research interest from the central level to territorial administration, i.e. government administration in voivodeships and local government administration. It turns out that even at the first – the voivodeship level of territorial administration, a deformation of normative arrangements as to the budgetary sources of financing the crisis structure management occurs. Apparently the voivodeship offices save and spend funds from budget chapter other than 75421. First of all, the source of the structure's supply are funds logged in budget chapter 75011, in which the full time employment expenditure of the voivodeship office is anticipated. In this way, it is possible to set up and finance the functioning of a voivodeship crisis management centre with a zero amount in the state budget for

⁵²¹ As the example are Świętokrzyskie and Lubuskie voivodeship. *Świętokrzyskie Voivode, Attachment No. 1 to Decree No. 62/2016 of 1 June 2016 on Świętokrzyskie Voivodeship Unit Regimen*, 2016, art. 7.1, available at <http://bip.kielce.uw.gov.pl/bip/urząd-województwki> [access date: 12.08.2017].

⁵²² *Świętokrzyskie Voivode, Budgetary Act part 85/26. Attachment No. 53 to Świętokrzyskie Voivode Decision on 6 February 2017*, task 2.4, available at <http://bip.kielce.uw.gov.pl/bip/urząd-województwki/budzet-województwki/10927,Decyzja-ustalająca-budżet-na-2017-rok.html> [access date: 25.10.2017].

⁵²³ A. Podolski, *Miejsce Rządowego Centrum Bezpieczeństwa w systemie bezpieczeństwa antyterrorystycznego Rzeczypospolitej Polskiej*, "Przegląd Bezpieczeństwa Wewnętrznego" 2010, No. 2, p. 142.

⁵²⁴ K. Nizioł, *Finansowanie z budżetu państwa wydatków na zarządzanie kryzysowe*, op. cit., p. 5.

crisis management for a given voivodeship.⁵²⁵ The universality of the aforementioned practice is evidenced not only by the budgets in the task setting of the Świętokrzyskie, Łódzkie and Małopolskie voivodeships⁵²⁶ – in which the expenses in chapter 75011 are clearly indicated – but also the logical calculation of the maintenance costs of the centres. 24-hour and all-year-round shifts require employment of at least 4.5 full-time employees. Practice indicates the employment of five on-duty employees. To calculate the maintenance of the centre, the costs of the centre manager and additional professional employees should be added. Even with the assumption of the lowest national wages, the minimum full-time employment cost of maintaining the centre will exceed PLN 150,000 annually. By comparing so calculated amount with the funds allocated in voivodeships to chapter 75421 only 6 out of 16 voivodeships in 2017 could afford to maintain the centre.⁵²⁷ Thus, at least at the voivodeship level, it is necessary to classify expenditures for maintaining centres in other chapters than indicated in the budget act. The problem with the exact calculation of expenses for crisis management is related to the unclear form of expenditure chapters in 75011 in the classic version of the budget. It houses all the statutory expenses of the voivodeship office. Only the task-based budget approach allows to track the expenses in detail – which is one of many advantages of the task budget.⁵²⁸

⁵²⁵ This type of situation concerned, among others Świętokrzyskie Voivodeship in 2014 and 2017 and Pomeranian Voivodeship in 2014. *Report on the implementation of the state budget for the period from January 1 to December 31, 2014*, v. II, Warszawa 2015; *Report on the implementation of the state budget for the period from 1 January to 31 December 2017*, op. cit.

⁵²⁶ As of 2018, only these three voivodeships plan and publish budgets in a task-based system. *Annex No. 48 to the decision of the Świętokrzyskie Voivode sign: FN.I.3111.1.2018 dated February 20, 2018...* op. cit.; *Annex No. 4 to the ordinance of the Małopolskie Voivode. Budget of the Małopolskie Voivode for 2017...*, op. cit.; *Annex No. 4 to the ordinance of the Łódzkie Voivode. The Łódzkie Voivode's budget for 2016 in the task-based system – the state budget and the budget of European funds*, available at <https://www.nik.gov.pl/plik/id,20773.pdf> [access date: 12.08.2017].

⁵²⁷ The comparison made on the basis of the table of budget expenditures of the state budget for chapter 75421 in Chapter III.

⁵²⁸ "The essence of the task budget comes down to the following: • first – the budget is treated as a plan to finance a precisely defined set of public tasks, • secondly – each of the tasks financed with funds included in the budget is assigned not only the amount of funds that can be spent on the implementation of a given task, but also performance indicators whose achievement is an objective to be spent on public spending and which should be achieved in a given budget year, • thirdly – the settlement of the executive body from the implementation

Crisis management financing means both the source of funds and the way money is spent. According to the Crisis Management Act, in the case of own tasks the budget of the local government units is the source of financing. In the case of commissioned tasks and tasks at national level – state budget.⁵²⁹ However, given the crisis management practice, there is a possibility of transferring costs to non-governmental or local government entities. Two sources of crisis management funding should therefore be distinguished:

1. Budgetary – in the sense of state and self-governments budget (including budgetary units).
2. Non-budgetary – EU funds, private entrepreneurs' funds, infrastructure owners' funds, budgetary plants' funds, other.

Budget financing of crisis management in accordance with Article 26 of the *Crisis Management Act* is intended to provide funding for the organization of planning and coordinating units. However, the means of special-purpose reserve – as the practice shows – can only be triggered in a crisis situation. The practice indicates that some local governments in budget chapter 75421 save the budget reserve for funds for gmina crisis management teams. This is an option that the local government is not obligated to, which makes it a rare practice.⁵³⁰ In matters of financing

of the budget consists in simultaneous verification of compliance with spending limits and the degree of performance of assumed tasks, and failure to achieve the objectives despite using the full expenditure limit is treated in the same way as exceeding the expenditure limit." E. Malinowska-Misiąg, W. Misiąg, *Finanse publiczne w Polsce*, LexisNexis, Warszawa 2007, p. 38.

⁵²⁹ "Financing the implementation of own tasks in the field of crisis management at the gmina, powiat and voivodeship level is planned within budgets of gminas, poviats and voivodeship self-governments." *The Act on Crisis Management...*, op. cit., art. 1.

⁵³⁰ *Information on the implementation of budgetary tasks of the Department of Crisis Management and Defence Matters for 2015*, KSO.3035.4.2016, p. 3. Sometimes, apart from the special-purpose reserve, municipalities also plan crisis management amounts. An example of this type of planning is the budget of Gmina of Stąporków in 2014, in addition to the budget reserve PLN 89,565 section 75421 it also included anticipated expenses for the purchase of materials and equipment (PLN 2,000) and purchase of other services (PLN 6,480) and in 2017 with the total provision of PLN 140,000, other expenses were written for an additional PLN 10,000. Of which the budget reserve was not activated and additional purchases were made for additional PLN 6,486.87. In the 2011–2017 budget, only this type of additional expenses was planned two times. *Annual report on the implementation of the Stąporków Municipality budget for 2014*, p. 22, available at <http://bip.staporkow.pl/?a=5595> [access date: 12.08.2017] and *Annual report on the implementation of the budget of the Stąporków Municipality for 2017*,

the functioning of planning and coordinating units, systemic pragmatics provides interesting solutions, and so can be distinguished:

1. Specific subsidies from the state budget, which take two forms: specific subsidies for tasks delegated to local government units and co-financing of their own tasks.⁵³¹ Finances are transferred through the voivodeship offices. Subsidies for the payment of equivalents to members of the Voluntary Fire Services are a widespread form of subventions. The amount of subsidy for co-financing of current and investment tasks cannot, in principle, exceed 80% of the cost of the task.⁵³² Frequently the subsidy constitutes a relatively large amount in regards to the budget of a local government unit.⁵³³ The 2010 flood documents also indicate the practice of using parts of the budgets reserved for the Ministries. For example, the Podkarpackie Voivodeship received support from the Ministry of Agriculture and Rural Development and the Ministry of the Interior and Administration in the years 2010–2014, amounting to nearly PLN 128 million.⁵³⁴ The support included in the competition programs should also be included in the special purpose subsidy aimed at the self-government's own tasks. In 2016, Skarżysko-Kamienna was the winner of the Safer Together program organized by the Ministry of Interior and Administration. Funds obtained from the ministry were budgeted as a special purpose subsidy. On the other hand, the own contribution to the project was reserved in budgetary expenses for crisis management. As part of chapter 75421, apart from the budget reserve, investment expenses for the project 'Safe City of Smart City' were recorded. It dealt

p. 18, available at <http://bip.staporkow.pl/?a=6976> [access date: 12.08.2017]. 160 and as well *Annual report on the implementation of the budget of the Staporków Municipality for 2012*, available at <http://bip.staporkow.pl/?a=3935> [access date: 12.08.2017]

⁵³¹ *The Act on Crisis Management...*, op. cit., art. 26.

⁵³² *Act on 27 August 2009 on public finances*, Dz.U. from 2016, item 195, 1257, 1454, art. 128, section 1–2.

⁵³³ In gmina Samborzec during the crisis in 2010 the amount of equivalents to members of the Voluntary Fire Services was: PLN 129,680. *Act of Secretary of Gmina Samborzec, Financial Statement*, ZKr.OC.5327/9/2010, June 2010.

⁵³⁴ *Supreme Audit Office, Post audit statement LRZ.410.004.01.2015 in Podkarpackie Voivodeship Unit in Rzeszów*, January 2015, pp. 4–5, available at https://www.nik.gov.pl/kontrola/wyniki-kontroli-nik/pobierz,lrz~p_15_097_201512170637051450334225~id0~01,typ,kj.pdf [access date: 12.08.2017].

with a crisis management in the field of innovation of the city monitoring network of the crisis management centre.⁵³⁵

2. Ministerial Promises. An example of issuing a promise is the commitment of the Ministry of Interior and Administration, granted to the city of Tarnobrzeg for the amount of PLN 391,190.⁵³⁶ Also in 2012, the Ministry of Internal Affairs granted two promises to the poviats of Kazimierz of the amount of PLN 1.5 million and PLN 700,000.⁵³⁷

3. State Specific Subsidies – regulated by the Public Finance Act, but created on the basis of separate acts. Their revenues come from public funds, while the expenditures are incurred for the implementation of separate state tasks.⁵³⁸ Special purpose funds have made a significant contribution to the recovery after the 2010 flood. They were activated by the *Act of 24 June 2010 on special solutions related to the removal of the effects of the floods*. It regulated, among others, the issue of the allocation of the funds from the National Road Fund to finance renovation, reconstruction or alteration of roads⁵³⁹; participation of the National Fund for Environmental Protection and Water Management⁵⁴⁰; Labour Fund; Guarantee Fund for Employee Benefits; Fund for Rehabilitation of Disabled People in reconstruction after the flood. The amounts paid by

⁵³⁵ *Descriptive report on the implementation of the budget for 2016 in the city of Skarżysko Kamienna. Tabular version*, pp. 4, 18, available at <http://bip.skarzysko.pl/artukul/172/498/sprawozdanie-z-wykonania-budzetu-gminy-skarzyska-kamiennej-za-2016-rok> [access date: 12.08.2017].

⁵³⁶ *Post audit statement LRZ – 4101-04-03/2013 in City Hall of Tarnobrzeg*, April 2013, p. 10, available at https://www.nik.gov.pl/kontrola/wyniki-kontroli-nik/pobierz,lrz~p_13_077_201309190951521379577112~id2~01,typ,kj.pdf [access date: 12.08.2017].

⁵³⁷ Deputy Starosta of the Kazimierz Poviats, *Interpretation request to the Regional Audit Chamber in Kielce on 06.27.2012*, FN. 300/04/2012, p. 1.

⁵³⁸ E. Rutkowska-Tomaszewska, *Jednostki sektora finansów publicznych*, [in:] *Prawne aspekty prywatyzacji: praca zbiorowa*, J. Blicharz (ed.), Wrocław 2012, pp. 109–110.

⁵³⁹ *Act on 24 June 2010 r. on special solutions for removing 2010 flood effects*, Dz.U. from 2010 No. 123, item 835, No. 148, item 993, art. 37, available from <http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20101230835/U/D20100835Lj.pdf> [access date: 12.08.2017].

⁵⁴⁰ Gorzyce received subsidies in amount of PLN 2,902,000. *Supreme Audit Office, Post audit statement LRZ.410.004.04.2015 in Gorzyce*, January 2015, p. 5, available at https://www.nik.gov.pl/kontrola/wyniki-kontroli-nik/pobierz,lrz~p_15_097_201512170637051450334225~id3~01,typ,kj.pdf [access date: 12.08.2017].

the Labour Fund in 2011, only in the Tarnobrzeg powiat, amounted to PLN 2,272,849.73.⁵⁴¹

Out-of-budget-subsidies include:

1. EU funds – the situation after 2010 was a quantifiable example of the role of voivodeship offices in acquisition of external funds for reconstruction after a crisis. In Podkarpackie Voivodeship, subsidies from the Rural Development Program amounted to nearly PLN 30.5 million in 2007–2013. Between 2010 and 2014 the funds were acquired from the Operational Program Infrastructure and Environment (nearly 28 million) and the EU Cohesion Fund (nearly 34 million).⁵⁴² In the current programming perspective, expenses planned directly for crisis management can be found in the budget of the Lubelskie Voivodeship. These are funds from the Operational Program of the Lubelskie Voivodeship. In § 6069 – expenditures on investment purchases of budget units were planned PLN 112,000 for investment expenditures. The goal of the project was to create a system of communication during crisis situations and documentation for the Security and Crisis Management Department of the LUW in Lublin. The funds were not granted by the Managing Authority of the Regional Operational Program of the Lubelskie Voivodeship for the years 2014–2020. However, entering them into the voivodeship's budget demonstrates again the possibility of financing the issue of crisis management from external funds.⁵⁴³
2. Infrastructure owners' funds. During the energy crisis in the Świętokrzyskie Voivodeship in 2014, the entire energy costs of the broken power poles were incurred by the Polish Energy Group. In the years 2010–2014 Świętokrzyskie Management Board of Melioration and Water Equipment only in the city of Połaniec has incurred expenses for reconstruction of water infrastructure in the amount of

⁵⁴¹ Supreme Audit Office, *Post audit statement LRZ-4101-15-02/2011 in Powiat Labor Unit in Tarnobrzeg*, December 2011, p. 2, available at https://www.nik.gov.pl/kontrola/wyniki-kontroli-nik/pobierz,lrz~p_11_185_201111161105521321437952~id1~01,typ,kj.pdf [access date: 12.08.2017].

⁵⁴² Supreme Audit Office, *Post audit statement LRZ.410.004.01.2015 in Podkarpackie Voivodeship Unit in Rzeszów*, op. cit., pp. 2–3.

⁵⁴³ *Expenditure analysis for 2017 part 85-06. For Lubelskie Voivodeship*, p. 190, available at <http://www.lubelskie.pl/file/2018/06/7.-Sprawozdanie-roczne-z-wykonania-Bud%C5%BCetu-Wojew%C3%B3dztwa-Lubelskiego-za-2017-rok-v1.pdf> [access date: 10.07.2018].

PLN 39,561,906. In turn, the Regional Water Management Board spent PLN 519 thousand.⁵⁴⁴

3. Private Funds. The issue of providing crisis management resources is often solved by means of agreements with private companies. The authorities do not bear the costs of storing goods as well as handling and depreciating of the equipment. Agreements are a widespread tool for maintaining a resources base. They concern, among others, supplies of sand, tarpaulins, power generators, machinery or transport services. During the energy crisis of 2014, the Voigt of gmina Łączna tried to obtain free electricity generators from local private enterprises or from the employees of the office.⁵⁴⁵

4. Budget Plants. Local government budget plants perform paid tasks covering their operating costs from their own revenues.⁵⁴⁶ The financial management of the plants allows for self-reliant complementation of resources used in crisis situations. For example, in Skarżysko Kamienna during the energy crisis of 2014 Municipal Water Supply and Sewerage Company Ltd. was equipped with a 250 kW generator which was able to supply 2 deep-well pumps with a capacity of 8070 m³ per day. It had a fuel supply for 6 days of continuous operation. In addition, the company used smaller aggregates (100 kW and two mobile aggregates 44 and 20 kW) that were able to supply pumping stations. The heat supply was provided by the company: Municipal Thermal Energy Enterprise of Skarżysko (Energetyka Ciepła Miasta Skarżysko). The transport was carried out by the Municipal Automobile Transport, which had hand pumps in case of lack of power supply. It can be said that the way of organizing municipal companies has removed from the community the obligation of providing adequate resources. Companies as independent

⁵⁴⁴ *Post audit statement in Połaniec*, pp. 5, 6, available at https://www.nik.gov.pl/kontrola/wyniki-kontroli-nik/pobierz,lki~p_13_077_201309190951521379577112~id1~01,typ,kj.pdf [access date: 12.08.2017].

⁵⁴⁵ *Announcement of the Voigt of gmina Łączna from January 21, 2014*, posted on the website www.laczna.pl. Archived in the gmina Łączna Office and *Minutes of the meeting of the Gmina Crisis Management Team of 21.01.2014*, point 5, available at Gmina Unit.

⁵⁴⁶ *The Act of 27 August 2009 on public finance*, Dz.U. from 2018, item 62, 1000, 1366, 1669, 1693, art 15.

entities were prepared to the situation in which the supply of electricity would be reduced.⁵⁴⁷

5. State legal persons – it is possible to obtain subsidies for tasks that relate, for example, to preventing crises from state legal persons. An example of this type of solution is the application of the voivode of gmina Piekoszów to the Agricultural Property Agency in Rzeszów for subsidies from the post-PGR (PGR state-owned farm) program for financing works on devastated water intakes.⁵⁴⁸

6. Other. The practice indicates the use, in particular by municipalities, of the possibility of regulating the financial obligations of employees of the office by collecting the so-called days off. According to the Labour Code, the employer in exchange for time worked overtime, at the employee's written request, may give him the same amount of time off.⁵⁴⁹

As a result, the employee is not entitled to a supplement for overtime.⁵⁵⁰

It is a practice applied, among others, to settle overtime worked out by delegated employees to operate the crisis management centre in Samborzec gmina.⁵⁵¹ A donation tool is another solution used after 2017 in the crisis management system. Admittedly it served to regulate the issue of ownership of flood storage facilities after the amendment of the Water Law Act, but as the donation was a financial tool, it was discussed in the current part of the work. The donation in this case did not serve to collect funds for crisis management, but to regulate the structure of the system. Sejmiks of the voivodeship, which until 2018 were the owners of flood protection warehouses along with the land, transferred them free of charge to the Treasury. In this way, voivodes, as representatives of the government in the field administration, may, from 1 January 2018, fulfil the statutory obligation to take over the tasks of maintaining flood

⁵⁴⁷ Information obtained during the interview with employees of the Crisis Management Centre in Skarżysko Kamienna City Office.

⁵⁴⁸ *Report. Activities of the Piekoszów gmina related to water pollution in the waterworks of the intake Nordkalk*, point 14, available at https://ecitydoc.com/download/dziaania-gminy-piekoszow-zwizane-z-zanieczyszczeniem-wody-w_pdf [access date: 12.10 2017].

⁵⁴⁹ *The Act of June 26, 1974. The Labour Code*, Dz.U. from 2018, item 4, 108, 138, 305, 357, art. 151.

⁵⁵⁰ *Ibid.*, art. 151, section 3.

⁵⁵¹ *Annex No. 2 to Regulation No. 100/2016 of the Voivode of the Samborzec Gmina of June 22, 2016...*, op. cit., § 19.

protection warehouses.⁵⁵² It was a normatively enforced solution⁵⁵³ developed at the same time in systemic practice – which confirms the validity of the functional-pragmatic approach to crisis management. In accordance with the adopted assumptions, crisis management is the relationship between system practice and legal norms. Its sense and understanding should be sought in the combination of both sides of the relation. Crisis management is neither a norm nor the practice itself – it is the result of the relation of both.

In conclusion, it should be stated that the financing of crisis management was regulated by *the Act on crisis management, on public finances and on revenues of local government units*. In 2010, the aforementioned acts were supported by the Act on special solutions for the elimination of the floods of 2010. The Act on local government level imposed the need to create a budgetary reserve – triggered in a crisis situation. The budget for local government units is indicated as the source of funding, while in the case of commissioned tasks and tasks at the national level, it is the state budget. The Public Finance Act allowed non-directly the co-financing of crisis management tasks from European Union funds.

The arrangements for selected crisis situations have shown the possibility of employing the budgetary part reserved for the Ministries in the form of specific subsidies or promises. In addition to the statutory subsidies for commissioned tasks, specific subsidies for self-government own tasks were granted. A wide use of subsidies from state-specific funds has been established, which in fact represent an alternative to subsidies directly obtained from the state budget. The non-formal sources of funding for crisis management exceed budgetary form of support. In particular: participation of private enterprises in crisis management. Budgetary plants have proved to be an effective form of task organization, but also financing the crisis preventive and response tasks.

⁵⁵² Resolution No. XXXIX/574/17 of the Sejmik of the Świętokrzyskie Voivodeship regarding the consent to the sale by way of donation by the Świętokrzyskie Voivodeship the property located in Winiary gmina Dwikozy marked in the land register as plot No. 530, area of 1,500 ha and real estate located in Grotniki Duże, gmina Nowy Korczyn marked in the records of land as plot 430/2 with an area 0.7041 ha, December 21, 2017, available at Marshal Unit.

⁵⁵³ The Act of July 20, 2017 – Water Law, Dz.U. from 2018, item 650, 710, 1479, 1669, 1722, art. 165, section 2.

In view of the above, the research hypothesis read as: the content of legislative acts with the pragmatism of the functioning of the system will enable to broaden the statutory scope of funding resources for crisis management has been positively verified.

Additional applications were made during the study. It turned out that the statutory decisions regarding the financing of crisis management have an impact on the structure of the system. At the local government level, the lack of obligatory funds against all four phases of crisis management causes underfunding of the system. It concerns both the organization of planning and coordinating units as well as resources. This is an observation that raises the reflection about the inadequacy of outlays on crisis management in local governments. It seems, however, that this proposal can be extended to all levels of the crisis management system in Poland.

It is also worth recommending the transition of public administration to budgeting in the form of a task.

The following conclusions can be drawn on the basis of the first subchapter: 1) the functional-pragmatic approach to defining a crisis situation and thus crisis management comes down to the elaborated definition based on normative and practical arrangements. It stems from the specification of a normative definition from documents developed in systematic pragmatics. Attention is drawn to the functional beginning of a crisis situation – the need for cooperation between public administration and specific entities, but not the scale of the phenomenon is a key element in the diagnosis of a crisis situation. Exceeding the threat indicators does not necessarily mean a crisis situation. The pragmatics of the system's functioning indicates, however, that the situation of a smaller scale is also often referred to as a crisis situation. It allows local governments to trigger spending funds from the special purpose reserve. An example of this is the phenomenon of flooding. Actually, counteracting their effects should be classified into the flood prevention phase. However, the practice indicates that local governments

treat them as crisis situations.⁵⁵⁴ Thus, problems that reveal the practice and which would require normative regulation can be observed. At the same time, based on practice, the normative understanding of crisis management and crisis should be defined in more detail. 2) A full catalogue of institutions responsible for crisis management in Poland can only be established by compiling the content of normative acts with the provisions of crisis management plans. These include administrative bodies in a *narrower* and *broadier sense*, owners of critical infrastructure and entities indicated in crisis management plans. 3) The full catalogue of crisis situations includes crisis management plans, which mention 20 threats. 4) On the basis of the findings made, the catalogue of 20 crises means, *de facto*, 20 generically different threats. The occurrence of a crisis situation only determines the need for cooperation between institutions responsible for crisis management in Poland. 5) The normative limit of a crisis situation is determined by constitutional emergency states. According to the judgment of the Constitutional Tribunal of 2009, the crisis situation does not entitle the public administration to limit the rights and freedoms of the citizen – which in turn allows each of the three emergency states. 6) Thus, the crisis situation is a threat in the state of defence readiness of the state of peace, the state of defence readiness of the state of the crisis, but it is not a kind of threats during the state of defence readiness of the time of war.

The following conclusions can be drawn from the second subchapter: 1) In the breakdown of normative findings and arrangements in the field of the functioning of crisis management bodies, one can observe deviations from the normative structure of crisis management. 2) Significant deviations are observed at the municipal level and in the activities of enterprises. Municipal authorities use at least four different forms of organization of posts and centres responsible for crisis management in their area. The

⁵⁵⁴ *Information on the implementation of budgetary tasks of the Department of Crisis Management and Defence Matters for 2016*, KSO.3034.4.2016, p. 3. "In the reporting period, events occurred in our city that had the character of crisis situations [...] The flooding of residential buildings associated with heavy rainfall occurred several times in the city. In connection with the above, sand for flood control was purchased for PLN 1,300.11. Also paid for 3 items of jackets purchased in December 2015 for members of the Municipal Crisis Management Team to work during rescue operations – PLN 1,070.10. Crisis management map for PLN 155.00 was also purchased for the needs of crisis management. The payment for ICT services was also made in the reporting period – the SMS alert and information system – PLN 526.40."

most important change consists in entrusting the centre functions to crisis management teams. In the face of the statutory separation of these tasks, this solution constitutes a significant deviation from the norm of law.

3) Enterprises, especially municipal ones, create positions responsible for crisis management on their own initiative. Because they do not have such a statutory requirement, this is an activity that testifies to the beginning of a new trend in the development of the crisis management system in Poland.

4) At the government level, the RCB performs more important functions than the role of the national crisis management centre. It is the interface of the Polish system towards cooperation with NATO and the European Union.

5) Only on the basis of the practice can it be determined which central bodies have launched crisis management teams. The statutory requirement itself is an enigmatic record.

6) At the provincial level, at least in the current situation, due to legal deficiencies, there are three-way authorities responsible for flood prevention.

7) The district and poviats practice of organizing crisis management centres, despite various forms of implementation, does not constitute exceptions to the normative model of the crisis management structure.

8) Two additional understandings of crisis management can be distinguished in the Polish normative system and the practice of system functioning, which do not fall under the concept consistent with the Act on Crisis Management. The first concerns specifically understood crisis management in enterprises. It boils down to the activities of private entities within the framework of run enterprises. It applies to a wider range of threats than those related to the operation of public administration – and therefore a statutory understanding of crisis management. The second concerns financial crisis management. It is connected with a separate act (Act on macroprudential supervision over the financial system and crisis management in the financial system). It is based on other bodies than public administration (Financial Supervisory Committee). The crisis situation is differently understood – the threat is to affect the stability of the financial market.

On the basis of the third sub-chapter, the following conclusions can be drawn: 1) At the local government level, a paradoxical situation is observed in which the funds designated for crisis management can be disbursed only when it occurs. This often results in a lack of expenditure on prevention and preparation for a crisis situation. 2) Normative regulations result in

underfunding the crisis management system at poviats and gmina level. This is a situation that translates into the shape of the structure. In gminas, crisis management centres are usually not created, but a full-time post of a sub-inspector for crisis management is issued. 3) The analyses point to the lack of uniform budgeting of funds for crisis management in public administration. Large expenditures were incurred from chapter 75011, while chapter 75421 was competent for crisis management. It would be recommended to carry out detailed budgetary plans in a task setting, which would facilitate the identification and implementation of tasks in the field of crisis management. 4) The highest financial expenditures are observed in full-time employment expenses 5). There are activities aimed at diversifying the sources and forms of spending of resources intended mainly for crisis management resources. In the course of the analyses, two sources of crisis management financing (budget and extra-budgetary) and three and six of their various generic forms were distinguished. 6) Due to the feedback relationships between the functions of the organization of the crisis management structure with financial determinants the normative and administrative guidelines should be driven by the optimization of allocation of financial resources available to state and self-government administration units.

CONCLUSION

In Poland, we are dealing with an increasingly better, though still developing, crisis management system. Currently, internal changes can be observed, consisting in adapting to new threats (including cyberterrorism), as well as searching for better solutions to the identified dangers. An example of this type of activity is the current (from 2018 and 2019) update and change of the form of crisis management plans across the country. Every year, numerous courses are observed with the participation of a wide range of institutions. Alternative sources of financing crisis management funds are being sought. There are also visible system development tendencies in the form of transferring crisis management procedures to the enterprise sector. All this shows a still young – in fact growing – phase of development of crisis management in Poland.

Observations of crisis management institutions' actions during crisis situations indicate the efficient operation of security systems in Poland. They confirm the rightness of the efforts made to organize the crisis management system. Although, as the history of political disputes around the crisis management act shows, it was not a self-evident matter. Both subsequent governmental projects: *governmental draft law on civil readiness and civil crisis management in the time of peace* on April 18, 2000⁵⁵⁵, *the governmental draft law on crisis management* of April 26, 2005⁵⁵⁶ did not find support. Also, the parliamentary projects were rejected: *the parliamentary bill on the safety of citizens and crisis management* of 30 April 2004⁵⁵⁷ and *the parliamentary*

⁵⁵⁵ *Government bill on civil preparedness and civil crisis management in times of peace*, Sejm paper No. 1861 of April 18, 2000.

⁵⁵⁶ *Government bill on crisis management*, Sejm paper No. 3973 of April 26, 2005.

⁵⁵⁷ *Parliamentary bill on the safety of citizens and crisis management*, Sejm paper No. 2953 of April 30, 2004.

bill on the safety of citizens and crisis management of 23 March 2006.⁵⁵⁸ The final form of the Act was a compromise of political positions and the need to pass “a new, self-contained legal regulation standardizing the issues of the crisis management system.”⁵⁵⁹ It was the result of the clash of political system values of individual groups pursuing to master real safety challenges. From a functional and pragmatic perspective, the act was created in characteristic relations with regard to law-making activity. In the presented work, a much more important issue was to examine other than the normative meaning of crisis management. It is also relational meaning, but based on the function that occurs between the norms of law and the practice of their implementation. It was the main research subject of the work, in response to which the scope of pragmatics deviations from the normative importance of crisis management was determined and a functional – normative-pragmatic model of crisis management was developed. It was assumed that possible derogations will concern two aspects: organizational and financial. It was therefore assumed that during the research it will be possible to set a wider than the normative range of institutions responsible for crisis management in Poland, and additionally it will be possible to identify new sources of financing their activities. This was the main research hypothesis of the work.

Formulating four specific problems and putting forward four hypotheses against them served the implementation of such a specific goal of research and verification of the hypothesis. The results of the verification have been presented respectively in four subsequent chapters of the work.

The first hypothesis and the content of the first chapter concerned the existence of the possibility of non-antinomic typologisation – based on the methodology of functional pragmatism – of security (including crisis management) and threat. An attempt was made to develop a relational theory of security and crisis management as its special kind. Recognizing the relation as the basic category of explanation, security was defined as a function between the subject and the threat. This way, the antinomic juxtaposition of security with threat was avoided. It was considered that the threat is constitutive for

⁵⁵⁸ *Parliamentary bill on the safety of citizens and crisis management*, Sejm paper No. 805 of March 23, 2006.

⁵⁵⁹ J. Morwiński, *Legal opinion dated November 9, 2006 regarding the parliamentary bill on crisis management (Sejm paper No. 770)*.

security. It is the side of the relation that creates it. In order to determine the quality of security relations, a general relation theory was used. The subject was called the codomain of the binary relation, while the threat was called its domain. In this way, security was characterized as a domain and codomain relation. It was argued that it is *reflexive* or *irreflexive symmetric* or *irreflexive asymmetric* relation between the subject and the threat. In other words, security was called a function in which there should be special cases of the *order relation* between significant characteristics (depending on the type or form of security) of the subject and the threat. Further typologies of security began with the adoption of two perspectives of explanation: subjective and objective. In the first perspective, these types of security were distinguished: *sense and knowledge*, a need understood as a *social* or *utilitarian value*, *the ability to self-regulate* or *control another entity*. In the objective perspective, security areas (subject types) were distinguished: *physical and information*; *social and physical*; *external and internal*. Taking into account the temporal aspects, both subjective and objective security were problematized by applying the *process* (or *state*) category. Crisis management was distinguished based on the same criteria. In the subjective term, they were defined as the activities of public administration (and hence the *structural subject*). It was considered, however, that subjective safety characteristics are less important for crisis management than the objective approach. In other words, it was assumed that in crisis management as a kind of security, threats concerning public administration itself are less important than those concerning people and their subordinate areas. Crisis management has been recognized as a special case of *physical security*, located between *law-making activity* and *subjective manipulation*. Because crisis management is a four-step response to crisis situations, its typology based on threat areas has been proposed. These categories of threats have been specified: *physical and information*; *civilization and natural*; *anthropogenic and non-anthropogenic*. Among them were threats that could transform into crisis situations. Thus, the 'non-antinomic' definition of crisis management was made. Crisis management as a relation of the subject (public administration) and the threat, is to depend on the function created between the norm setting activity and the pragmatics of the organization of tasks and their financing. Threat is a constitutive side of the relation, which is crisis management. It should therefore be considered that the first detailed hypothesis has been positively verified.

The second hypothesis was that it is not possible to establish the full range of institutions and sources of financing for crisis management in Poland solely on the basis of applicable acts of law, i.e. based on the normative criterion for the description of crisis management. The results of its verification are described in the second chapter. The hypothesis assumed implicitly the necessity of compiling the norm and practice to determine the full scope of the structure and sources and scale of expenses for crisis management – meaning the sense of a functional approach. On the basis of the acts of law, a *narrower* and *broader* understanding of public administration was distinguished, and thus a list of crisis management entities. A *narrower* understanding has been established solely on the basis of *the Act on Crisis Management*. The structure understood in such a way consists of four levels of administration: government, voivodeship, poviast and gmina. On the basis of the ordinance of the Council of Ministers – i.e. the executive act to the Act – a fifth, departmental level of crisis management in Poland was identified. The determination of the form of the departmental level of the system was made on the basis of internal normative acts of the units selected by the aforementioned ordinance. A *broad* understanding of crisis management institutions was associated with the highlighted in the analysis acts of law concerning units subordinate to the Ministry of Interior and Administration. The catalogue of institutions constructed in this way contained also indication of *critical infrastructure owners*, which was not clearly in the scope. *The Act on Crisis Management* listed such entities, but it was not possible to determine their precise scope on the basis of the normative analysis itself. The created catalogue of institutions did not give any certainty that it was a finite catalogue. In the Acts, it was evident that the crisis management system was based on institutions responsible for counteracting specific threats. However, the normative acts selected in the analysis did not indicate the type of crisis threats. Thus, they did not ensure that the included institutions exhausted the scope of crisis management entities. The analysis of budget acts and other normative acts has shown a growing tendency in the scale of planned spending on crisis management in Poland and indicated the budget sources of their financing. The analyses did not provide certainty as to establishing a full catalogue of sources of crisis management financing, and thus information on the total amount of funds

spent. Therefore, it should be stated that the adopted detailed research hypothesis has been positively verified.

The third of the adopted research hypotheses concerned the organization and financing of the territorial crisis management structure. It was assumed that the way of functioning and expenses incurred could be determined only in the analysis of documents which discursive function boiled down to indicating the ways in which normative regulations could be implemented. The research determined that the territorial structure of crisis management was organized based on the regulations of the field administration offices. Voivodeship Management Centres operate in accordance with the *Act on Crisis Management* but at the same time on the basis of the ordinances of the proper Voivode. Organization of technical and IT tools as well as full-time employment functional structure was entrusted to the heads of departments and managers of crisis management units. It also turned out that both the territorial authorities responsible for crisis management (voivode, staroste, president, mayor, vojt) and the managers of the cells have relatively wide freedom to implement statutory tasks. For example, in the entire Świętokrzyskie Voivodeship, i.e. in 115 entities (not counting the voivode and WCZK), only one gmina (Skarżysko Kamienna) runs a 24-hour crisis management centre. Poviats meet the statutory obligation of duties by signing agreements with the Fire Brigade. Analysis of the activities of public administration bodies during crisis situations allowed to draw conclusions regarding organizational and financial aspects. The analysis of documents revealed that the expenses for crisis management are also calculated on the basis of other budget classifications than the statutory allocations (budgetary act) reserved for crisis management. It should therefore be stated that also the third research hypothesis was verified positively.

The fourth hypothesis concerned a functional juxtaposition of normative and practical arrangements. It was assumed that this type of juxtaposition would not only reveal the deviations in both sides of the relation, but also allow to create a relational model of crisis management. The model was to be descriptive (in line with the graphical diagrams included in the first chapter), consisting of three types of explanations: regarding essence (essential), functioning of the structure (causal) and financing of crisis management in Poland (genetic).

In the essential aspect, the functional-pragmatic approach to the concept of a crisis situation and thus crisis management allowed to work out a uniform definition of both issues. The essence of crisis management is the functional definition of a crisis situation understood as the necessity of cooperation between public administration and specific entities. The catalogue of institutions responsible for crisis management in Poland can be established only through a functional juxtaposition of the content of normative acts with the regulations of crisis management plans. On the basis of normative acts, administrative bodies were distinguished in a *narrower* and *broadier sense*, and the scope of the notion of *critical infrastructure owners* and *other crisis management entities* was defined in more detail on the basis of pragmatics. The normative boundary of the crisis situation and thus crisis management was adopted, which is determined by constitutional *emergency states*. This way (functional-pragmatic) the question what crisis management is was answered.

As for the second – causal – model dimension, in the specification of normative findings and arrangements in the field of the functioning of crisis management bodies, one can observe deviations from the normative structure of crisis management. Significant deviations are observed at the gmina level and in the activities of enterprises. Gmina authorities use at least four different forms of organization of posts and centres responsible for crisis management in their area. The most important change is to entrust the function of centres to the crisis management teams. Enterprises, especially municipal ones, create posts responsible for crisis management on their own initiative. At the government level, the Government Centre for Security meets more important functions that go beyond the role of the national crisis management centre. It is the unit responsible for cooperation with NATO and the European Union. As part of research on pragmatics, it was observed that some additional central bodies have launched crisis management teams. The scope of these institutions can be determined only on the basis of pragmatic research. It was also established that in the current normative situation, one can observe deviations from the norm at the voivodeship level. Due to legal deficiencies, there are three-way authorities responsible for flood prevention. The department and powiat practice of organization of crisis management centres, despite various forms of implementation, does not constitute deviations from the normative model

of the crisis management structure. Therefore, it should be stated that the complete model of the crisis management structure (institutional scope), in addition to the normatively indicated entities and their tasks, should also include the mentioned deviations. It is therefore considered that the third detailed hypothesis has been positively verified.

As for the issue of crisis management financing – the third genetic dimension of the model. Normative regulations result in underfunding the crisis management system in local government administration. In Poland, a paradoxical solution is observed, which consists in the possibility of disbursement of funds for crisis management only in the event of a crisis situation. This often results in a lack of expenses on prevention and preparation for counteracting crises. This type of financial difficulty determines the shape of the structure. In gminas, crisis management centres are usually not created, but, for example, a full-time post of a sub-inspector for crisis management is allocated. Poviats fulfil their statutory obligations to conduct duties on the basis of agreements with the Fire Brigade. Local governments are looking for alternative financial solutions, which often results in errors in spending the budget reserve for crisis management. Additionally, analyses of the state budget and territorial administration budgets indicate a lack of a uniform way of budgeting the funds allocated for crisis management in public administration. Large expenditures were observed for these purposes, incurred, among others, from chapter 75011, while chapter 75421 is competent for crisis management. In pragmatic analysis, activities aimed at diversifying the sources and forms of disbursement of funds intended mainly for crisis management resources are observed. In the course of the analyses, two sources of crisis management financing (budget and extra-budgetary) and respectively three and six of their various generic forms were distinguished. Therefore, it should be recognized that the detailed research hypothesis has been positively verified. It has been assumed that a relational model of crisis management can be created on the basis of a functional juxtaposition of normative and practical arrangements and the unveiling of deviations in both sides of the relation. Such deviations are observable. Additional sources of crisis management financing was also established to those indicated in the normative analysis. The logical division into budget and extra-budget sources guaranteed the finiteness of the adopted classification. The extra-budgetary forms of crisis

management financing determined in the analyses do not exhaust their full scope. However, they allow to positively verify the main research hypothesis – the theory of crisis management based on functional interpretations of legal norms and practices of public authorities will reveal a wider than the normative range of institutions responsible for crisis management in Poland, and will also indicate new sources of financing their activities. Therefore, it should be acknowledged that the assumed research problems were solved, and thus the cognitive objectives of the work were achieved.

It is also worth noting the contribution of research to the development of science. First of all, the research has contributed to the development of sciences at the theoretical level:

1. The possibility of typologizing the category of safety management based on theoretical assumptions of relationalism and by additional using of the critical theory I. Kant, probabilistic assumptions of pragmatism of W. James, humanism of F.C. S. Schiller and J. Dewey's instrumentalism was proofed. The juxtaposition of the above mentioned concepts resulted in the development of a spherical (different from linear and point) model of typologization of social and economic phenomena in general and management in public administration in particular. Thus, an anthropocentric approach to the study of the issue most often considered from objective positions has been proposed.
2. An innovative approach has been proposed in the field of safety management to explain the activities of public administration. The organizational and financial issues were addressed by means of conclusions characteristic for a hermeneutical approach inspired by the thoughts of H.G. Gadamer, W. Dilthey and P. Ricoeur. It was considered that conducting separate normative and pragmatic research, firstly, does not give a complete picture of the analysed phenomena; secondly, only the combination of both perspectives and proposing a functional (relational) model meets the criterion of full explanation of the subject of research. In order to realize this postulate, the principle of narrowing the hermeneutical circle was applied. Going from general issues, through detailed (including idiographic) issues, attempts were made to work out a final – theoretical -- model of the studied phenomenon. To sum up, the theory – so successfully applied by dozens and precursors of scientific methodologies, a field which, after all, grew into a subject

of interest only for thinkers of the 20th century – is the basis for the coherence of all four chapters of the work, starting with theoretical issues, through strictly normative and idiographical issues – including financial analysis – and ending with a summary proposal of a relational model of the studied phenomena, depicting adapted and thus abnormal socio-economic realities, on the one hand, and administrative-political realities shaped by law on the other hand. In this way, the theory of crisis management was created, which includes the content of each chapter of the book, while the last one is only its most creative element.

3. The basic assumptions of the adopted methodology were based on the results of the findings of M. Mazur's cybernetics as well as on the T. Parson's general theory of systems. The system model of attitude towards the essence of the examined objects was additionally enriched with a functional perspective. In this way, the assumption about the existence of feedback relationships between the functions of the organization of the crisis management structure with determinants of a financial nature was confirmed, which allows to formulate normative and administrative guidelines through the prism of optimization of allocation of financial resources available to state and local administration units.

4. Based on the methodology of functional pragmatism, as well as through the adaptation of discursive, hermeneutical and cybernetic tools and their application to organizational and financial aspects, a normative-pragmatic model of the crisis management system in Poland was created. Thus, a new approach to crisis management was proposed. On the other hand, from a functional perspective, a comprehensive (because it takes into account both normative and pragmatic factors) and thus a finite description of the studied phenomenon was proposed.

In the field of science and cognition, a holistic theory of correlation between standard and practice in the financial and organizational aspects was developed. The normative perspective creates a framework for activity. The practice adapts normative regulations to territorial conditions, becomes the engine of normative changes. Territorial implementation shows the most relevant factors for the functioning of the system in financial and organizational aspects. It is the financial aspects that have a dominant role in the formulation of organizational

structures of the analyzed systems. Financial factors determine practice and thus shape norms (as they are adapted to changing realities).

Methodological input

5. A universal – spherical – model of analysis of human activity related to the management of public security of the state has been developed. In a general aspect it concerns the issues of management, security, economy, but in a special case, organizational and financial problems of crisis management. The distinction and explanation of the possibility of using three criteria of division, the so-called typologization axis – essential, teleological, genealogical – is a contribution to the general methodology of sciences. The developed scheme is not only a useful tool for systematization of social phenomena, but it can also be adapted to the theorization of other areas of human activity. Moreover, the assumed methodology does not exclude the use of detailed research methods or different theories: institutional and legal analysis, used to describe the structure of crisis management, or political decision-making method used to describe the problems of amending laws. It also systematizes methods of idiographic research. Enabled to adopt Central Place Theory (regional development theory) for the explanation of crisis management structure allocation. Therefore, this is the most theoretical description by its nature, as it is the most theoretical one, since it is primordial in relation to research methods, and therefore it is most appropriate to place it in the issues of meta-reflection on the method – the methodology of science on management.

6. Based on J.N. Baudouin de Courtenay's and F. de Saussure's rulings on discursive activity, the teleological function of text (including legislation) was identified as the most relevant factor distinguishing the normative and pragmatic perspective of research. In his recognition of speech activity, F. de Saussure's term *langue* was the closest expression of the term *langue*, which combined two tangential and complementary elements of *langue* (a potential system of signs and models, that mean code) and *parole* (communion based on this code) which is systematized on the basis of teleological criteria, a clear methodological criterion for dividing the studied organisational and financial phenomena has been developed.

7. The necessity of applying the assumptions of relationalism in social and economic research has been justified. It was shown not only that the category of relations may be primary in to the category of process and substance (the possibility of explaining both concepts by reference to relations was pointed out), but also the usefulness of such decisions in socio-economic research was pointed out. Explaining social and economic phenomena by referring to the category of relations avoids the problem of antinomy of phenomena, at least intuitively correlated with each other. An example of what are the categories of security and threat. Similarly, organisational and financial issues cannot be considered as contradictory in the teleological sense. Considering them to be a function of the same relationship, one should look for correlation, determine the degrees of dependence or permeability, but one should not look for their mutual exclusion. As a consequence, the paper adopts a functional approach to the consideration of issues from the field of management and economics. It was considered that not only because of the genesis of management discipline, which in its essence derives from economic sciences, but also because of the interdependence, similarity of methods used and the spectrum of interests, it is necessary to treat the findings of both areas functionally. An exemplification of what may be the feedback between the normative regulation of incurring costs for crisis management by local government units and the restructuring of municipal units of local government offices, or the transition to task-based budgeting in order to collect and optimise the use of revenues and budget expenditures.

Practical input

8. The ways of organising the structure and financing of crisis management were indicated in the situation when it is necessary to maintain the system on the basis of insufficient resources of the special budget reserve in the budgets of local government administration. Thus, a set of undertakings which could be used by other administration entities was indicated as effective models for solving financial deficiencies. The crisis management model indicates standard, and extraordinary, organisational and financial solutions (used by various entities of the system). It also indicates development trends, both in organisational issues (various forms of functioning of crisis management centres, forms of cooperation with extra-budgetary entities, etc.) and financial issues

(creation of budget plants, budget units, use of civil law contracts, etc.) Thus, the book has not only a theoretical value – theory and cognition – but also contains a description of model practical solutions the crucial issues of crisis management system in Poland.

9. Recommendations of transition from the classical to the task-based form of budgeting in local public administration units were justified. Such a solution would facilitate the identification and implementation of crisis management tasks. Currently, in Poland, the highest financial expenditures are observed for full-time salaries, which are planned on an annual basis. Dependence on the annual settlement of expenditures on crisis management resources could increase the pool of planned expenditures, and thus allow for a more effective update of the technical facilities of the system.

10. Normative gaps in the Polish crisis management system were indicated, which need to be filled in order to increase the effectiveness of the organization of anti-crisis measures. A special diagnosis concerns the lack of sufficient normative solutions ensuring permanent financing of the crisis management system at the self-government level. The national legislation should introduce, apart from the existing obligation to create special reserves, the requirement to incur permanent expenses – not necessarily large scale – on crisis management. A situation in which financial resources for crisis management can be mobilised only in a crisis situation (there is an essential establishment of a special reserve) generates even pathological underfunding of the system, and thus organisational problems in the structure and deep deficiencies in equipment resources. Financing of systems cooperating with the cross-management system, such as the National Rescue and Firefighting System, the National Medical Rescue System or the Territorial Defence Forces, does not solve the problems of the public administration – it concerns entities independent of them.

11. The directions of development of the methods of allocation of competences to the operation of particular entities of the crisis management system in Poland were recommended. The scale of adaptation of procedures and operators at the territorial level should be directly proportional to the universalization of catalogues and modules of action at the national level. The current introduction of universal

solutions should be developed at lower levels of the system, which are *de facto* responsible for the effectiveness of undertaken actions of response and crisis reconstruction phases. Emphasis on the exchange of information – after joint training of local administration – on effective models of action (procedures and operators) should improve the operation of the entire system. Due to the specific nature of the areas of each territorial administration, universalization must be based on adaptation.

12. With normative restrictions on crisis management financing at the local government level, it is worth considering extending cooperation with the private sector on the basis of agreements. The widespread occurrence of drinking water contamination indicates that the possibility of using private transportation of food liquids can significantly reduce the cost of purchasing bottled water. The involvement of additional financial and human capital in the crisis management system could result in an increase in the effectiveness of its activities.

13. Crisis management centres shall remain closely linked to other cells of the Offices. In matters requiring specialist knowledge, the Centre's manager uses the assistance of, among others, the staff of the legal department, supervision and control, or IT units. This relationship between the Office and the Centre is a feedback function. The Centre performs a number of tasks, including office work, which go beyond the framework of crisis management. It also works for the benefit of defence preparations. It is an observation which gives rise to a postulate of the need to increase the personal and functional composition of the Centres.

14. It is worth recommending possible transformation of public administration offices into enterprises and municipal enterprises. The way of managing such legal creations guaranteed the effectiveness of actions during the crises.

Finally, it is worth noting that the young phase of crisis management development in Poland, despite the still observable shortcomings, has a huge advantage: the dynamics of development. It is the driving force of internal system operations; it also forces involved activities in integrated systems with crisis management. The bad prognosis would be stagnation in the era of constantly changing threats – especially anthropogenic ones.

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Radosław Harabin

Doktor nauk społecznych w zakresie nauk o polityce, przedsiębiorca, praktyk w zakresie zarządzania kryzysowego, wiceprzewodniczący Instytutu Zarządzania Kryzysowego i Modelowania Komputerowego. Autor monografii *Kryzys naszych czasów. Totalitaryzm i demokracja w myśli Hannah Arendt* oraz kilkudziesięciu artykułów wydrukowanych w publikacjach polskich i zagranicznych. Członek Rady Redakcyjnej „Journal of Industrial Policy and Technology Management”.