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Area of law in which intensive research processes law is clerical, which

includes both the provisions of the labor law and administrative law. One of the

problems dealt with in this branch of law is the problem of the internationalization

of civil service. This problem relates to the four planes. These are: the sources of

international law issues clerical, issues of Polish Foreign Service, the question of

clerical force in the European Union, as well as the issue of models operating in

other international organizations.

Law clerical developed in the shadow of modern public administration, and

administrative law. According to Z. Duniewskiej its origins should be positioned

in France, associating them with the French Revolution and the Declaration of the

5. J. Świątkiewicz, Good administration as the right of a citizen, Warsaw 2002, p. 9

6. A. Zoll, Right to good administration, Lodz 1998, p. 3

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Rights of Man and of the Citizen of 1789 year.7 Formerly, the law was considered

to clerical administrative law today is classified as part of the labor law. The

concept of civil service related to the concept of public service or as claims

J.Stelina with the concept of service state.8 These concepts are equated with the

legal situation of persons who are employed on the basis of different legal

relationships. However, note that the officer is not just a person working in

servicer or administrative authority, but also a person who works in a bank and

the person working in the public services. To properly characterize the notion of

civil service should exit the presentation of his subject. However, his

determination, or the location of it in the legal system seems to be a difficult task.

The reason for this is, among other things, that the idea of civil service is a

product doctrine.9 Since the right of clerical closely associated with the right

officials J. Stelina writes that his object clerical labor relations (which are persons

occupying official positions) and the relationship urzędniczymi closely related to

labor relations. The adoption of such criteria makes the right clerical includes

persons employed in clerical positions in government, the local government and

other government offices. Speaking about the characteristics and nature of clerical

labor relations should be indicated on issues relating to employment bases, the

terms of employment of the entity, determine the employing entity, party

autonomy, stability of employment, employee availability, responsibilities,

accountability workers, as well as the settlement of disputes with respect work.10

Law clerical plagued with several problems today. It is difficult to indicate the

future of this subsystem law taking into account the difficulty of specifying the

tradycji.11

Important problems for civil service are its features. J. Stelina points to two -

organizational function (the most important is to create optimal conditions for

implementation of the tasks of the state by the professional bureaucratic

apparatus) and protective function (consisting in securing suitable employment

status, social and civil servants). What emotions are constantly raises a problem of

sources of law clerical. It is a subject often addressed in the literature.

7. Z. Duniewska, Right administrative- introduction, [in:] The system of administrative law.

Volume I. Institutions of administrative law, R. Hauser, Z. Niewiadomski, A. Sparrow (ed.),

Warsaw 2010, p. 69.

8. J. Stelina Law, clerical, Warsaw 2009, p. 2

9. For more on the concept of civil service and its subject, see. J. Stelina, Positioning System civil

service (in :) The problems of employment in the modern labor system. The jubilee book on 55

years of research and teaching, Professor Vladimir Piotrowski, ed. Z. Niedbała, M. Skąpski,

Poznan 2009, p. 199-211.

10. More J. Stalin, Law clerical, Warsaw 2009, p. 18-26

11. Cf. T. Gorzyńska, Civil Service in Poland - Problems with tradition, the problems of the future,

[in:] J. Supernat (ed.) Between tradition and the future in the science of administrative law Jubilee

Book Dedicated to Professor John Bociowi, Wroclaw 2009, p . 189 and n.

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Model of civil service of the European Union is recognized as one of the most

interesting models which operate on the world.12 Pay attention to the way of

creation of its structure in the context of changes in the European idea. They were

the fruit of the experience of the European Communities. Important complication

is the goal that should meet the clerical EU law. The biggest impact on the current

model of European law had a clerical commissioner for administration N. Kinock.

It is certain accretions and historical conditions underlying its organization

initiated in March 2000.13 Important reforms first basic differences between the

two systems in force in the European Union brought to a method for establishing

an employment relationship. And so in the case of officials takes place on the

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relationship. And so in the case of officials takes place on the appointment, while

other employees enter into a contract of employment. European officials were

divided into five groups, which were designated - A, B, C, D, and a special group

of LA (the so-called. Language group). The groups meet, it can be a kind of

classification, eg. A5 - here each a letter and - digital assigned to the appropriate

position1. That which among other things has a European civil service law is a

system of penalties to be applied if required by the interests of the service (fines

can be used both to one official as well as the group), as well as additives and

benefits. EU officials are persons appointed to this position, while passing through

a number of existing procedures. These are the people who perform clerical

functions of all the institutions. E. Ura also distinguished members of the

Commission, referred to as commissioners. Currently, the Commission has 27

Commissioners. They shall be appointed for five years and committed to action in

the interest of the entire EU.14 The Commission also has a secondary camera. It is

composed of persons exercising expert such translators. Within the civil service of

the European Union also specifies the issues of human resource management in

this regard and the issue of recruitment, probationary period, the issue of

promotion, termination of employment, conditions of employment, rights and

duties which are incumbent on officials or disciplinary provisions and measures to

review the decisions of officials. Civil service model is undoubtedly a complex

model. In principle, it is a model of reference, and as this should be used in

12. More information on the existing models in the world see. Civil Service Collective work in

some democratic countries, Warsaw 1995.

13. For more, see. , The author, Civil Service in the Institutions of the European Union, "Civil

Service", 2003., No. 6, p. 37 and n.

14. The current list of personal Commissioners and their activities is available on the website

http://ec.europa.eu/commission\_2010-2014/index\_pl.htm, available from 03.01.2012 r.

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different countries of the European Union. Its mission is to serve. In addition,

inspired solutions, which are valid in individual Member States. This complexity

and multiplicity of sources became his strengths.

It seems impossible to identify a single model for the international civil

service. One of the reasons is certainly the multitude of problems within the

subsystem law. However, as a national and European law as clerical has one goal.

It is the service performed in a fair, effective and independent. Certainly, the

connecting element here is a human. It was he who ensures the quality of clerical

activities. He has also, through the applicable regulations or due to the possibility

of promotion can develop professionally to better perform their duties.