

розбудови інноваційної інфраструктури. Розвиток якої взагалі й процеси інтеграції освіти і науки зокрема мають набути статусу державних пріоритетів з визначенням нормативно-правових, економічних і організаційних засад їх утворення та функціонування.

Література

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Kohutnytska O. M.,

Lazarski University, Warsaw, Republic of Poland

SOURCES OF LAW

The Constitution of the Republic of Poland was adopted by the National Assembly of Poland on the 2nd of April 1997, approved by the national referendum on the 25th of May 1997. It entered into force on the 17th of October 1997. The Constitution, the supreme law, provides the foundations of the socio-political system. The provisions of the Constitution shall apply directly, unless the Constitution provides otherwise. It states that Poland is a democratic state in which the principles of social justice are pursued. The rule of separation of powers is strictly observed in this country. The Constitution also provides for basic personal, political, economic, social and cultural rights of the citizens [1]. It guarantees a multi-party state, the freedom of religion, assembly and speech. It requires public officials to pursue ecologically sound public policy and acknowledges the inviolability of the home, the right to form trade unions, and to strike, whilst at the same time prohibiting the practices of forced medical experimentation, torture and corporal punishment. The Republic of Poland shall respect international law binding upon it.

The main sources of Polish Law are represented in the Chapter III of the Constitution in the articles 87-94. The sources of universally binding law of the

Republic of Poland shall be: the Constitution, statutes, ratified international agreements, and regulations. Enactments of local law issued by the operation of bodies of state power shall be a source of universally binding law of the Republic of Poland in the territory of the bodies of state power issuing such enactments. The condition precedent for the coming into force of statutes, regulations and enactments of local law shall be the promulgation thereof. The principles and procedures for promulgation of normative acts shall be specified by the statute. International agreements ratified with prior consent granted by statute shall be promulgated in accordance with the procedures required for statutes. The principles of promulgation of other international agreements shall be specified by statutes. Ratification of an international agreement by the Republic of Poland, as well as renunciation thereof, shall require prior consent granted by the statute – if such agreement concerns: 1) peace, alliances, political or military treaties; 2) freedom, rights or obligations of citizens, as specified in the Constitution; 3) the Republic of Poland's membership in an international organization; 4) considerable financial responsibilities imposed on the State; 5) matters regulated by the law or those which the Constitution requires the form of the law. The President of the Council of Ministers (the Prime Minister) shall inform the Sejm of any intention to submit, for ratification by the President of the Republic, any international agreements which ratification does not require consent granted by statute. The principles and procedures for the conclusion and renunciation of international agreements shall be specified by the law. The Republic of Poland may, by virtue of international agreements, delegate to an international organization or international institution the competence of bodies of State authority in relation to certain matters. A statute, granting consent for ratification of an international agreement shall be passed by the Sejm by the two-thirds majority vote in the presence of at least half of the statutory number of Deputies, and by the Senate by the two-thirds majority vote in the presence of at least half of the statutory number of Senators. Granting of consent for ratification of such agreement may also be passed by a nationwide referendum. A nationwide referendum may be held in respect of matters of particular importance to the State. The right to order a nationwide referendum shall be vested in the Sejm, to be taken by an absolute majority of votes in the presence of at least half of the statutory number of Deputies, or in the President of the Republic with the consent of the Senate given by an absolute majority vote taken in the presence of at least half of the statutory number of Senators. A result of a nationwide referendum shall be binding, if more than half of the number of those having the right to vote have participated in it. Any resolution in respect of the choice of procedure for granting consent to ratification shall be taken by the Sejm by an absolute

majority vote taken in the presence of at least half of the statutory number of Deputies. After promulgation thereof in the Journal of Laws of the Republic of Poland (Dziennik Ustaw), a ratified international agreement shall constitute part of the domestic legal order and shall be applied directly, unless its application depends on the enactment of a statute. An international agreement ratified upon prior consent granted by a statute shall have precedence over statutes if such an agreement cannot be reconciled with the provisions of such statutes. If an agreement that was established by an international organization ratified by the Republic of Poland, it shall be applied directly and have precedence in the event of a conflict of laws. Regulations shall be issued on the basis of specific authorization, and for the purpose of implementation of statutes by the bodies of state power specified in the Constitution. The authorization shall specify the bodies of state power to issue a regulation. A body of state power authorized to issue a regulation shall not delegate its competence to another body of state power. Resolutions of the Council of ministers and orders of the Prime Minister and ministers shall be of an internal character and shall bind only those organizational units subordinate to the body of state power which issues such act. Orders shall only be issued on the basis of the law. Resolutions and orders shall be a subject to scrutiny regarding their compliance with universally binding the law. On the basis of and within limits specified by the law a body of state power of local government and territorial bodies of government administration shall enact local legal enactments applicable to their territorially defined areas of operation. The principles of local legal enactments are specified by the law.

On the 1st of May 2004 after ratification of the Athens Declaration Poland became the member of the European Union [2]. Accordingly, the national legal system in Poland includes not only the provisions of the Constitution, laws and regulations of Poland, but also the norms of the European Union, being one of the main sources of the Polish law, which, in our opinion, is a distinctive feature of the Polish law [3].

References

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