

# Table of Contents

Preface	9
<i>Agata Kosieradzka-Federczyk</i>	
CHAPTER 1. Entities with the Standing to Bring Actions Before Administrative Courts	13
1.1. Introduction	13
1.2. The model of the administrative judiciary in Poland	16
1.3. Access to an administrative court and the Constitution of the Republic of Poland	21
1.4. Characteristics of access to an administrative court	24
1.5. Entities entitled to lodge a complaint	25
1.5.1. A person who has a legal interest	31
1.5.2. The Public Prosecutor	36
1.5.3. The Ombudsman and Children's Ombudsman	38
1.5.4. The Ombudsman for Small and Medium-sized Enterprises (SMEs)	40
1.5.5. Social organisation	41
1.5.6. Other entities	47
1.6. Conclusions and postulates <i>de lege ferenda</i>	48
REFERENCES	51

*Gábor Hulkó*

CHAPTER 2. The Activism of the Court of Justice of the European Union and the Possibilities of Administrative Adjudication	55
2.1. Introduction	55
2.2. Constitutional order and community law	58
2.2.1. Case Study of Poland	62
2.2.2. Case Study of Romania	71
2.2.3. Case Study of the Czech Republic	72
2.2.4. the Slovak Republic	80
2.3. Considerations	84
REFERENCES	89

*Kitti Pollák*

CHAPTER 3. Comparative Analysis of the Hungarian and Polish Administrative Court Procedural Rules Regarding the Acceleration of the Receipt of Final Decisions	91
3.1. Introduction	91
3.2. Constitutional background of administrative justice	92
3.3. The organisation of the court system deciding in administrative cases	100
3.4. Latest codification regarding administrative court proceedings in Hungary and in Poland	109
3.5. Novel rules regarding the acceleration of the receipt of final decisions	117
3.5.1. Similar regulations in the Polish and in the Hungarian codes regarding administrative court proceedings	118
3.5.2. Differences in the regulations regarding administrative court proceedings	125
3.6. Conclusion	131
REFERENCES	132

*Mateusz Pszczyński*

CHAPTER 4. On-line Administrative Courts and the Rule of Justice	143
4.1. Introduction	143
4.2. Administrative courts during a pandemic	144
4.3. Evidentiary proceedings	153
4.4. Comparison of public hearings under the CovAct and the ProcAdmCourt	155
4.5. The right to a public hearing as a principle of law	157
4.6. Admission of the public as an element of external disclosure	162
4.7. <i>De lege ferenda</i> remarks	164
REFERENCES	166

*Przemysław Ostojski*

CHAPTER 5. Standards of the Judicial Review of Administrative Decisions in Strategic Areas of the Polish Economy: Necessity for Change or Entrenchment of the <i>Status Quo</i> ?	169
5.1. Introductory remarks	169
5.2. The European dimension of competition law	171
5.2.1. Standards of judicial review in the EU	171
5.2.2. Human rights within competition law	177
5.3. Standards of judicial review exercised by the CCPC	183
5.3.1. Administrative legal scheme and subject matter of review	183
5.3.2. Procedural doubts around the model of judicial review by the CCPC	187
5.3.3. Substantial review	190
5.4. Conclusions	200
REFERENCES	202