

ORAL QUESTION H-1091/06
for Question Time at the part-session in February 2007
pursuant to Rule 109 of the Rules of Procedure
by Lidia Joanna Geringer de Oedenberg
to the Commission

Subject: Polish law on the principles governing the conduct of development policy/regional policy

The law of 6 December 2006 on the principles governing the conduct of development policy and dealing with the administration of structural funds has given rise to much debate about whether the provisions are in keeping with Community law. The law of 6 December gives the government a right of oversight over the local authorities, with the chairman of the provincial executive coming permanently under the authority of the provincial governor. The latter, who is the government's representative at provincial level, will have a right of veto in that he would be able to suspend project tender procedures at any stage in the examination process, with the serious risk that projects will be constantly suspended and payments and funding flows held up or that the authorities controlled by the parties in power will be given preferential treatment. This arrangement will centralise development-related decision-making in individual regions, which would appear to run counter to the general EU trend towards the decentralisation of such activities.

Is the provincial governor's veto not contrary to Community law, and if so, which item of Community legislation does it infringe?

Tabled: 21.12.2006
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