

Streszczenie rozprawy doktorskiej Mgr Adama Laska /j.angielski/ pt.:
„ The legal position of the agricultural holding in the Polish legal system”

An agricultural holding as a co-participant of the economic market, is located in a multifaceted regulation both on the basis of national and EU law. The classic view of production factors (labor, capital and land) classifies an agricultural holding as a kind of enterprise, which is covered by a separate and preferential legal regulation, due to its strategic character and role for each State and the society functioning in it.

In the dissertation issues were raised related to legislative processes in the context of specific political and economic events, which reflected the entirety of concepts and models of agriculture adopted by State, as well as an attempt to the balance between interest of property rights with imposed administrative obligations. The main emphasis was put on family farms conducted by individual farmers, which is exemplifications of the accepted program norm, expressed in art. 23 of the Constitution of the Republic of Poland.

Characterizing the research methods adopted at work, mention should be made of the analysis based on the legal-dogmatic, historical, legal-comparative method with statistical elements and SWOT analysis. The first two of them allows to draw the most complete conclusions about the factors shaping the agricultural system in Poland. Two next shown a direct relation with the then agriculture and the economic-social-legal plane.

The first chapter was devoted to issues related to the evolution of an agricultural institution and its legal regulations. It looked at the sources of concepts and definitions of a farm in constitutional, administrative and civilian terms. Also raised issues related to: agricultural policy, the legitimacy of protective regulations and statutory support for farms.

The second chapter contains the characteristics and assessment of the correlation of agricultural law in relation to other areas of law. In the following, the author shows separateness of the social security system, taxes, the system of trade and protection of agricultural real estate, agricultural exemption and support and protection systems for natural resources in family farms. An extremely important matter of this chapter is also the current issue of the judicial execution of cash benefits from farm property.

The third chapter refers to issues related to legal and economic regulations for supporting family farms, which focus on the impact of the CAP, EAFRD objectives, RDPs in the years 2014-2020 and other support systems for family rural households.

The fourth chapter contains a comparative analysis of the system and legal solutions that provide support for family farms used in Poland and selected European Union countries.

The research hypotheses put forward in the introduction were developed in the theses and substantiation contained in the conclusion. The considerations were based on the claim that the legislator surrounds the mode and functioning of farms holdings by increasing range of regulation, what determines the legal position of an agricultural holding in numerous normative acts. The legislator emphasizes the uniqueness of the agrarian sector by developing separate regulations and different approach and recognition of the farmers property sphere,

as well as their public duties. The highly developed construction of regulatory instruments places agricultural holdings as an equal economic entity, with a privileged position in relation to stronger capital market players in free market economy. However, globalization factors have caused that many people still treat agriculture in a downplaying manner, probably resulting from a misunderstanding of the importance and specificity of this sector in relation to the global economic system.