

UNIVERSITY OF ECONOMICS  
AND INNOVATION IN LUBLIN

FREE UNIVERSITY OF VARNA

# Globalization, the State and the Individual

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# **Globalization, the State and the Individual**

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## **Subsidies for performing education tasks granted by territorial self-government units to non-public sector entities**

### **Дочерние предприятия для выполнения задач образования, предоставляемые территориальными самоуправляющимися единицами в неправительственных секторах**

#### **Summary**

Territorial self-government units, in accordance with the provisions of the Act on Education System, are obliged to transfer to education units run by legal and individual persons, subsidies for financing the tasks they perform concerning education, upbringing and taking care. The aim of this paper is to present the rules governing the granting of education subsidies to entities from outside the public sector by territorial self-government units. The system of financing education evolves, therefore the authors presented the regulation governing education subsidies valid until 2016 as well as the new ones, put into effect on 1<sup>st</sup> January 2017. The paper also presents the results of authors' own research into the level of subsidies granted by territorial self-government units to entities from outside the public sector.

**Keywords:** self-government unit, subsidies, non-public sector entities.

#### **Резюме**

Территориальные органы самоуправления, в соответствии с положениями Закона об образовании, обязаны переводить в образовательные единицы, принадлежащие юридическим и физическим лицам, субсидии для финансирования задач, которые они выполняют в отношении образования, воспитания и ухода. Целью настоящего документа является представление правил, регулирующих предоставление субсидий на образование предприятиям за пределами государственного сектора органами территориального самоуправления. Система финансирования образования развивается, поэтому авторы представили положение, регулирующее субсидии на образование, действующие до 2016 года, а также новые, введенные в действие 1 января 2017 года. В статье также представлены результаты собственных исследований авторов уровня субсидий, предоставляемых территориальными единицами самоуправления органам за пределами государственного сектора.

**Ключевые слова:** единица самообеспечения, субсидии, организации, не являющиеся государственным сектором.

## Introduction

Poland has a developed system of public finance responsible for performing a number of tasks, including education ones.

Territorial self-government units, in accordance with the provisions of the Act on Education System, are obliged to transfer to education units run by legal and individual persons, subsidies for financing the tasks they perform concerning education, upbringing and taking care. The principles of financing schools and centers, both public and non-public ones which have the same powers as public schools and which are run by entities which are not territorial self-government units have been determined in the following legislature: the Act on Education System from 1991<sup>1</sup>, the Act on Public Finance from 2009<sup>2</sup>, as well as regulations of the Minister of National Education concerning the method of dividing part of the general education subvention for territorial self-government units.

The following public and non-public institutions subsidized from the commune or district budget are also entitled to receive education subsidies<sup>3</sup>:

- kindergartens, including special kindergartens,
- other forms of pre-school upbringing,
- primary schools with kindergarten divisions,
- special primary schools with kindergarten divisions,
- schools in which the school obligation or the education obligation is fulfilled,
- schools in which the school obligation or the education obligation is not fulfilled,
- education centers which are: youth upbringing centers, socio-therapy centers, special school and upbringing centers and centers enabling mentally handicapped children and youth to fulfill their school and education obligation,
- boarding schools.

Education subsidies are also transferred from the province self-government budget to the following institutions of regional significance: public special primary schools, public special schools in which the school or education obligation is fulfilled. Finally, public and non-public art schools are subsidized from the state budget.

In case of public schools and centers and non-public schools and centers with public school rights, the provisions of the Act on Education System imposed an obligation of subsidizing them by territorial self-government units. On the other hand, in case of non-public schools which do not have the rights of public schools, a territorial self-government unit may subsidize them, however,

<sup>1</sup> The Act of 7th September 1991 on Education System (Journal of Laws from 2016, item 1943).

<sup>2</sup> The Act of 27th August 2009 on Public Finance (Journal of Laws from 2013, item 885 as amended).

<sup>3</sup> *Niepubliczne jednostki oświatowe. Organizacja, finanse i kadry*, Praca zbiorowa, Wydawnictwo C.H. Beck, Warszawa 2012, p. 182.

the decision on whether the subsidy should be granted rests exclusively with the decision-making organ of the unit.

## 1. Subsidies in the public finance system

Subsidies were defined as the funds that require special accounting principles, coming from state budget, territorial self-government unit budget or from state special purpose funds, allocated on the basis of this Act, separate acts or international agreements, for financing or co-financing the performance of public tasks. Thus the legal foundation for granting the subsidy from the state budget or the budget of a territorial self-government unit must always be a provision included in the act or international agreement. The Act on Public Finance introduces the division of subsidies into: purpose subsidy, object subsidy and subject subsidy<sup>4</sup>.

Special purpose subsidy is always used to finance expenses defined in the law (specific expenses). Therefore the beneficiary is obliged to settle the special purpose subsidy not only by demonstrating the proof of the expenses incurred by the organ by also by proving that the goal for which the subsidy was granted has been accomplished. Special purpose subsidies, contrary to other subsidies, must be settled both in their financial and content aspects. Object subsidies have been constructed so as to improve the recipient's access to a particular product or service. Thanks to them the product recipient or the service user does not have to bear the full costs or is exempted from them. The object subsidy is determined using the unit rates and is settled by providing the proof of producing a unit product or service and incurring associated costs which the beneficiary is reimbursed for with such subsidy. A special type of subsidies are subject subsidies, which have neither features of special purpose subsidy nor object subsidy. The source legislature defines only the beneficiary receiving such subsidy, that is the type of current activity which can be financed with this subsidy. Thus the beneficiary accounts for the use of the subject subsidy by presenting expenditure on running costs<sup>5</sup>.

The subject literature also emphasizes the division of subsidies into:

- general and special purpose subsidies,
- object and subject subsidies,
- discretionary and non-discretionary subsidies.

The division into general and special purpose subsidies is made taking into account whether the beneficiary has to incur specified expenses using the funds they received or not. If the special purpose subsidy is not used for the tasks related to its purpose, the beneficiary is obliged to return the subsidy which was not

<sup>4</sup> Article 126 of the Act of 27th August 2009 on Public Finance (Journal of Laws from 2013, item 885, as amended).

<sup>5</sup> Lachiewicz W., Ciszewski P. (editors), *Dotacje oświatowe. Udzielanie, rozliczanie, kontrola wykorzystania*, Wydawnictwo C.H. Beck, Warszawa 2013, p. 4.



used. The division of subsidies into subject and object ones concerns the features determining a particular subsidy. Subject subsidies relate to a specific feature of the subject, whereas object subsidies are concerned with a specific activity of the beneficiary.

As emphasized by W. Lachiewicz and P. Ciszewski, education subsidies “are subject subsidies, whereas taking into account the dichotomy criteria – they are both special purpose and subject ones”. The authors also point out that the concept of “special purpose subsidy” does not fully match special purpose subsidies as construed from the Act on Public Finance<sup>6</sup>.

## 2. The evolution of regulations governing education subsidies until 2016

The evolution of regulations governing education subsidies dates back to the 1990s. The education subsidies granted from the commune budget as well as subsidies granted from the state budget were to be accounted for with expenses on didactic or care and upbringing activities of the subsidized kindergarten, school or center. The period of the 1990s was characterized by the fact that all matters concerning the education subsidies were regulated by resolutions of commune councils. Such resolutions constituted all regulations governing the calculation of the amount of subsidies and the way of transferring them and accounting for them. Since 1999 the subsidy base has also included current or running (planned) expenditure calculated per pupils of self-government kindergartens, schools or centers. A dilemma appeared then, concerning how to understand the concept of “running expenses” for the financing of which a subject subsidy was granted. At that time monthly information on the number of pupils was necessary to determine the amount of due subsidy. Such information was also treated as the settlement of the subsidy, neglecting the potential claims the territorial self-government unit could make that the unused subsidy be returned to its budget.

In 2001–2007 many changes were introduced in the provisions regulating the way education subsidies are granted and accounted for. The foundation of subsidies for non-public schools, until then dependent on running expenses, were replaced with values related to the amount of education subvention received by the territorial self-government unit per one pupil in a school of the same type and kind as the subsidized school. At that time also some norms were implemented stipulating the obligation to return the subsidy to the state budget or the territorial self-government unit budget. This obligation concerned the subsidy which was not used or which was used contrary to its purpose.

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<sup>6</sup> Ibidem, p. 9.

By amending the Act on Education System from 2009 it was decided that education subsidies for public and non-public units are dedicated to running expenses of the school, kindergarten or center concerning education, upbringing or taking care, including social prophylaxis. Such intended use of the education subsidy practically did not differ from the provisions of the Act on Education System from the 1990s. Within the above-mentioned amendment local governments were also provided with the possibility of controlling beneficiaries as to how they use the education subsidy granted to them.

The amendment to the Act on Education System from 2013 also brought some changes to the purpose and use of the funds from the education subsidy by the beneficiary.<sup>7</sup> The new regulations refer to the concept of “tangible assets” and “investment” as construed in the Act on Accounting, listing the types of tangible assets whose financing from the education subsidy can be included in the current activity. The implemented changes also concern the principles of transferring the education subsidy<sup>8</sup>.

The subsidies mentioned in Articles 80 and 90 of the Act on Education System are allocated for financing the accomplishment of tasks that schools, kindergartens and centers have in education, upbringing and care, including social prophylaxis. The replaced provisions of the Act on Education System determined that subsidies could only be used to cover the running expenses of the school or center. In their judgments, administrative courts emphasized that the role of a subsidy granted from the budget of a territorial self-government unit is not to subsidize all kinds of activities conducted by the school or to cover all its expenses<sup>9</sup>.

Due to some doubts that appeared as to the type of expenditure that can be considered running expenses, on 1<sup>st</sup> January 2014 an amendment of legal regulations was introduced, consisting in defining such expenses. The Act indicates that subsidies can only and exclusively be used to:

- cover the running expenses of schools and centers, covering each expense incurred for the goals of the school or center activities, including remuneration of an individual managing the school or center if they are school or center principals, excluding expenses on investments and investment purchases, purchasing and taking over shares or contributing shares to commercial law partnerships;
- purchase of tangible assets and intangible assets covering: books and other library collections, didactic aids supporting the didactic and upbringing process, recreation and sports equipment, furniture and other tangible assets and

<sup>7</sup> The Act of 13th June 2013 Amending the Act on Education System and Some Other Acts (Journal of Laws 2013, item 827).

<sup>8</sup> W. Lachiewicz, P. Ciszewski (editors), *Dotacje oświatowe...*, op. cit., pp. 7–27.

<sup>9</sup> The judgment of the Province Administrative Court in Kraków from 22nd January 2015, I SA/Kr 1799/14.

intangible assets whose value does not exceed the amount specified in the provisions on corporate income tax, and for which the depreciation write-offs are considered costs of obtaining revenue in 100% of their value, at the moment of giving them for use<sup>10</sup>.

The subsidies granted from the budget of the territorial self-government unit are annual. This means that their part which has not been used by the end of the budget year must be returned to the budget of this unit by 31<sup>st</sup> January next year. Subsidies granted from the budget of the territorial self-government unit and used contrary to their purpose or in excess amount must be returned to the budget along with interests within 15 days from finding such irregularities<sup>11</sup>.

Subsidies are transferred in 12 installments by the last day of the month, to the bank account of the school or center. As a result of the amendment to the Act, since 1<sup>st</sup> January 2014 the December part is transferred by the 15<sup>th</sup> December. Previously the part of subsidy for December could be transferred by the territorial self-government unit to the bank account of the school or center even on the last day of December, which made it practically impossible to spend the funds from the subsidy before the end of the budget year<sup>12</sup>. However, the provisions obliging the authorities to pay the part of subsidy for December by 15<sup>th</sup> December, in a situation when the final amount of expenditure in the budget of the territorial self-government unit, constituting the basis for calculating the subsidy, is known only on 31<sup>st</sup> December, cause various interpretation problems<sup>13</sup>.

The Act on Education System emphasizes that subsidies are received by non-self-government kindergartens and schools, and not by persons managing these organizational units. However, the lack of full, organizational independence (especially the status of a legal person) suffered by private schools and centers accounts for the fact that it is the person managing them that decides on their vital matters and bears the responsibility for the economic aspects of their operations. Therefore we can assume that the person managing them is the beneficiary and the party in the legal and financial relation<sup>14</sup>.

<sup>10</sup> Article 80 of the Act of 7th September 1991 on Education System (Journal of Laws from 2004, No 256, item 2572, as amended).

<sup>11</sup> The judgment of the Province Administrative Court in Kielce from 7th March 2012, II SA/Ke 45/12.

<sup>12</sup> The judgment of the Province Administrative Court in Gdańsk from 27th October 2010, I SA/Gd 892/10; The judgment of Province Administrative Court in Kielce from 10th March 2009, II SA/Ke 30/09.

<sup>13</sup> Granting subsidies from budgets of territorial self-government units to education units for which the leading organs are entities other than territorial self-government units. Regional Accounting Chamber in Lublin, Lublin 2014, p. 48.

<sup>14</sup> A. Jeżowski, *Finansowanie publiczne oświaty niepublicznej*, ABC a Wolters Kluwer business, Warszawa 2014, p. 148.

Article 80 of the Act on Education System stipulates that a subsidy is granted on the basis of a submitted application. The provisions oblige the constituting organ of a relevant territorial self-government unit to include in the resolution on the rules of subsidizing “the scope of information that should be included in the petition for granting a subsidy”. Due to the fact that the provisions of the Act do not mention the date for submitting an application, it is impossible to reject a subsidy on the grounds of failing to meet the deadline for submitting an application. The Act does not regulate, either, who should put forward the application for granting a subsidy, this entity may be indicated in the resolution of the constituting organ of the territorial self-government unit.

Schools and kindergartens – both public and non-public – run by entities other than territorial self-government units, receive subsidies from the budget of the self-government unit on principles determined respectively in Articles 80 and 90 of the Act on Education System. Depending on the type of kindergarten center – the Act differently determines the basis for calculating the amount of subsidy granted by the commune.

By the end of 2016 the provisions of the Act on Education System stipulated that public kindergartens run by entities other than commune, receive for each pupil a subsidy from the commune budget “equaling the running expenses allocated per one pupil in public kindergartens run by the commune”, decreased by the fees for using the kindergarten upbringing and catering, constituting the income of the commune budget. On the other hand, a person running the kindergarten upbringing in another public form of kindergarten upbringing receives a subsidy per each pupil from the commune budget “in the amount not lower than 50% of running expenses allocated for one pupil in a public kindergarten run by the commune”, decreased by the fees for using the kindergarten upbringing and catering, constituting the income of the commune budget. Public kindergartens which do not belong to self-government are not obliged to report information on the planned number of pupils in order to receive the subsidy, however, this obligation concerns subsidies for children covered with early development support.

Subsidies for non-public kindergartens, on the other hand, according to the provisions of the Act before the 2016 amendment were granted for every pupil “in the amount not lower than 75% of running expenses incurred in public kindergartens per one pupil, decreased by the above-mentioned fees, as determined in the budget of a given commune”. The person running other forms of preschool education received a subsidy from the commune budget for every pupil covered with this form of preschool education “in the amount not lower than 40% of running expenses per one pupil incurred in public kindergartens run by the com-



mune” decreased by the fees for using the kindergarten education and catering, which constitute the source of income for the commune<sup>15</sup>.

A subsidy for a disabled pupil was specified differently. In all the above-mentioned cases the subsidy for a disabled pupil cannot be lower than the amount allocated for one disabled pupil in the kindergarten or kindergarten unit in the education part of the general subvention received by the commune. As for the pupils covered with early development support, the same subsidy basis was determined. It should be emphasized that disabled pupils and pupils covered with early development support who attend kindergartens, including non-public kindergartens, are included in the education subvention received by communes from the state budget.

In case there is no kindergarten run by the commune, the level of subsidy is determined by referring to running expenses incurred by the neighboring commune which has public kindergartens. Therefore it is necessary to make a specific choice of one commune. The “nearest” term was not specified by the Act before its amendment in 2016, which could imply that it was the commune council, which provides relevant provisions of local law, that was entitled to specify this concept<sup>16</sup>.

It should be emphasized, however, that in 2013 and 2014 the Act on Education System was amended, inter alia, by the Act of 13<sup>th</sup> June 2013 on Amending the Act on Education System and Some Other Acts<sup>17</sup>. The amendment mostly covered kindergartens, introducing the principle of decreasing the running expenses which constituted the basis for calculating subsidies for public and non-public kindergartens, by fees for using the kindergarten education and for catering, which constituted the source of commune income. The main goal of the amendment, however, was to remove the barriers in access to preschool education. To achieve this, the special purpose subsidy was introduced for communes for increasing the number of places and improving conditions of preschool education. The amendments concerning the calculation of the subsidy became valid on 1<sup>st</sup> September 2013.

Until the end of 2016 the provisions of the Act on Education System stipulated that public schools receive a subsidy for each pupil from the budget of the territorial self-government unit obliged to run appropriate types and kinds of schools in the amount equal to the running expenses allocated for one pupil in schools of the same type and kind run by this territorial self-government unit, not lower, however, than the amount allocated for one pupil of a school of particular type and kind in the education part of the general subvention for territorial self-government

<sup>15</sup> A. Ostrowska, *Nowy wymiar dotowania opieki przedszkolnej – wnioski z reformy i postulaty 'de lege ferenda'*, „Finanse Komunalne”, Miesięcznik Regionalnych Izb Obrachunkowych, No 11/2014, Wolters Kluwer, Warszawa 2014, p. 21.

<sup>16</sup> A. Jeżowski, *Finansowanie publiczne...*, op. cit., p. 149.

<sup>17</sup> The Act of 13th June 2013 on Amending the Act on Education System and Some Other Acts (Journal of Laws from 2013, item 827).

units. The amount of a subsidy for a public school run by an individual or a legal entity which was not a self-government unit thus should be calculated on the basis of funds allocated for running schools of the same type and kind in the budget of a given self-government unit for a given year. In this sense the running expenses should also be current, not historical. Only when there are no schools of the same type and kind in a given self-government unit, can a subsidy be granted in the amount transferred to self-government from state budget within the education part of the general subvention<sup>18</sup>. Public schools and kindergartens which do not belong to self-government, are not obliged to submit information on the planned number of pupils in order to receive a subsidy, except for the subsidy for pupils covered with early development support.

The provisions of the Act valid until the end of 2016 specified that the subsidies for non-public schools with the qualifications of public schools, in which school obligation or education obligation is fulfilled, are granted for each pupil in the amount not lower than the amount allocated for one pupil of a particular type and kind of school in the education part of the general subvention received by the territorial self-government unit, on condition that the person running the school provides the authority relevant for granting the subsidy with the planned number of pupils not later than on 30<sup>th</sup> September of the year preceding the granting of the subsidy. The requirement voiced in Article 90 of the Act on Education System, forcing persons running schools to submit to the authority relevant for granting the subsidy, before 30<sup>th</sup> September of the previous year, the information on the planned number of pupils, allows territorial self-government units to allocate funds in their budgets. Non-public schools without the qualifications of public schools may receive subsidies from the district budget.

Schools and kindergartens – both public and non-public – run by entities other than territorial self-government units, receive from the budget of these units subsidies on principles specified in the Act on Education System. The rules of calculating the subsidies for particular kindergartens, other forms of preschool education, schools and centers were far from uniform in the Act. The foundations for calculating the subsidies depending on the type of an education unit before 1<sup>st</sup> January 2017 are presented in Table 1 below.

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<sup>18</sup> A. Jeżowski, *Finansowanie publiczne...*, op. cit., p. 150.

**Table 1.** The basis for calculating the subsidy depending on the type of education unit used before 1<sup>st</sup> January 2017

Type of education unit	The basis for calculating the subsidy
Public education units	With reference to pupils without disabilities, subsidies are calculated on the basis of running expenses allocated in the same type and kind of self-government education units (except for subsidies for other preschool forms). If there are no public schools and units of the same type and kind in the commune or district, the basis for subsidizing is the education part of the general subvention for territorial self-government units. If there are no commune kindergartens, the basis for determining the amount of subsidy for kindergartens is the running expenses incurred by the nearest commune for running a public kindergarten.
Non-public kindergartens	The subsidy is calculated on the basis of running expenses determined in the commune budget and incurred by public kindergartens. On one hand this means planned expenses, defined in the budget, but on the other hand, the expenses actually incurred or made in commune kindergartens. In practice, these are two different figures.
Non-public preschool forms	The subsidy for non-public preschool forms is based on expenses incurred for one pupil in public kindergarten. In case the commune does not have its own kindergarten, the subsidy is based on running expenses incurred by the nearest commune for running a public kindergarten.
Non-public schools with qualifications of public schools	Subsidies for non-public schools with qualifications of public schools, in which the school obligation or the education obligation is fulfilled, and for non-public centers, is calculated on the basis of the general education subvention received by local authorities.
Non-public post-junior high schools	Subsidies for non-public post-junior high schools, which do not fulfill the education obligation, are calculated taking into account the running expenses determined in commune or district budget, incurred by self-government schools of this type and kind – subvention does not apply here. In the event when the territorial self-government unit does not run a school of such type and kind, the basis for calculating the subsidy should include running expenses incurred by the nearest commune or district for running a public school of the same type and kind.
Student of qualification vocational course and pupil covered with early development support	Subsidy for a student of a qualification vocational course and a pupil covered with early development support is calculated on the basis of general subvention allocated for territorial self-government unit.

**Source:** own work on the basis of: W. Lachiewicz, P. Ciszewski (editors), *Dotacje oświatowe...* op. cit., pp. 162–164.

The provisions of the Act on Education System, before its amendment from 2016, stipulated that the subsidy for schools and kindergartens should be determined on the basis of:

- running expenses in kindergartens and schools run by the territorial self-government unit, or

- the amounts allocated for one pupil in the education part of general subvention (or, as worded in the Act before 2012 – territorial self-government units<sup>19</sup>).

In the situation where the provisions of the Act determine the subsidy on the basis of subvention, the subsidy is calculated by first determining the total amount of education subvention for pupils in a school of a given type and kind and then dividing this amount by the number of pupils. The amount of subvention per one pupil is then multiplied by the number of pupils in the subsidized unit. In addition, in the construction of some subsidy calculation foundations, certain multipliers (rates) are included, by which the amount of subvention is multiplied.

Another way of calculating the subsidy per one pupil can be found in solutions which determine the amount of subsidy on the basis of the level of self-government expenditure on its own education units of the same type and kind as the subsidized entity. It should be emphasized, though, that the level of running expenses cannot be determined on the basis of historical data – from the previous budget year. The reference point should be the current level of financing these expenses in schools and kindergartens run by the territorial self-government unit in a given year. The aim of the Act on Education System is to equal the financing from budget funds for analogous schools and kindergartens (public and non-public) and this goal would not be reached if the subsidies were determined on the basis of last year's expenditure<sup>20</sup>.

Before the Act on Education System was amended in 2016, the provisions did not specify whether the planned or executed expenses should be taken into account. The Act used the terms of anticipated and incurred expenses, which, due to ambiguous wording, can be interpreted as: *anticipated running expenses...* as planned (for calculating the subsidies for public kindergartens and schools based on running expenses of territorial self-government unit), whereas *running expenses determined in the budget, incurred...* – as expenses executed (for calculating subsidies for public kindergartens on the basis of the expenses of the nearest commune and non-public kindergartens – on the basis of a given commune expenses). The lack of cohesion in the provisions could lead to various interpretations made by territorial self-government units as well as accounting chambers and administrative courts<sup>21</sup>.

<sup>19</sup> Before the amended regulation became valid, some provisions of the Act on Education System related the amount of subsidy for children to the amount allocated in the education part of general subvention for territorial self-government units, in line with the grammatical interpretation – without the correction indicator Di.

<sup>20</sup> *Udzielanie dotacji z budżetów jednostek samorządu terytorialnego...*, op. cit., p. 19.  
The judgment of the Supreme Administrative Court from 17<sup>th</sup> January 2008, II GSK 319/07.

<sup>21</sup> *Udzielanie dotacji z budżetów jednostek samorządu terytorialnego...*, op. cit., p. 20.



### 3. Changes in the rules governing education subsidies introduced on 1<sup>st</sup> January 2017

The new regulations, which became valid on 1<sup>st</sup> January 2017, were introduced in the Act of 23<sup>rd</sup> June 2016 on Amending the Act on Education System and Some Other Acts<sup>22</sup>. The amendment was aimed at specifying and straightening the provisions regulating also the area of education subsidies.

When analyzing the regulations on calculating and granting subsidies, we often encounter the concept of “the nearest” commune, district or province. The legal provisions so far have not defined this concept, which gave rise to many doubts. On 1<sup>st</sup> January 2017 some provisions of the Act on Education System were implemented, defining this ambiguous concept. The method of determining the nearest commune first of all refers to the neighboring communes, pointing at one with the closest indicators of tax income per one inhabitant. If no neighboring commune of the same type as the subsidizing commune runs a particular type of school or kindergarten, the nearest commune shall be the commune with the most similar indicator of tax income per inhabitant in the area of the same district, further on in the same province, and finally, as the last resort, the commune of the most similar indicator of tax income per inhabitant located in another province<sup>23</sup>.

The Act also separately defines such principles for the nearest commune running a kindergarten, a primary school in which a kindergarten section was organized, a school of a given type and kind and a boarding school as well as for the nearest district running a school of a given type and kind, a center of a given type and a boarding school. Relevant provisions of the Act on Education System refer in this scope to the provisions of the Act on the Income of Territorial Self-Government Units<sup>24</sup>. Provisions of this Act determine the indicator of tax income per one inhabitant in a commune, marked as “G” indicator, which is calculated by dividing the amount of tax incomes of the commune for the year preceding the base year by the number of commune inhabitants. In case of districts, provisions of the above-quoted Act determine the “P” indicator per one inhabitant, calculated as the quotient of the amount of tax incomes of the district obtained in the year preceding the base year and the number of district inhabitants.

The new regulations also differentiate communes as to their type (rural, urban, rural-urban) and districts as to their size measured with the number of inhabitants. The provisions also introduce some limitation as to the nearest commune

<sup>22</sup> The Act of 23<sup>rd</sup> June 2016 on Amending the Act on Education System and Some Other Acts (Journal of Laws from 2016, item 1010).

<sup>23</sup> A. Piszko, *Dotacje w oświacie po zmianach. Nowe zasady przyznawania dotacji od 1 stycznia 2017 r.* INFOR, Warszawa 2016, p. 27.

<sup>24</sup> The Act of 13<sup>th</sup> November 2003 on Incomes of Territorial Self-Government Units (Journal of Laws from 2016, item 198, as amended).

running a kindergarten and a primary school with a kindergarten section. Expenses in kindergartens and kindergarten sections, on the basis of which the amount of the subsidy is determined, can be financed with the funds coming from the European Union up to the level of 50%.

Another change introduced in the amendment of the regulations of education system can be seen in determining the basic amount of the subsidy, which since 1<sup>st</sup> January 2017 has played a key role in determining the subsidies for kindergartens, schools and centers. This concept was defined with reference to specific units, thus the basic amount of subsidy was determined for<sup>25</sup>:

- kindergartens,
- primary schools with kindergarten sections,
- schools of particular type and kind,
- centers of particular type,
- boarding schools,
- other forms of kindergarten education.

The provision defining the method of calculating the basic amount of subsidy is similar for all units. For example, the basic amount of subsidy for schools of a given type and kind should be understood as the amount of running expenses planned for running schools of this type and kind by the territorial self-government unit, decreased by:

1. payment for catering in these schools, planned for the budget year in the budget of the self-government unit, constituting its budget income,
2. the sum of products of relevant amounts allocated in the education part of general subvention for the self-government unit for disabled pupils, socially maladjusted or threatened with social maladjustment in schools of a given type and kind, with decisions confirming the need for special education, issued because of relevant types of disability, social maladjustment or threat of social maladjustment, and the statistical number of these pupils in these schools, excluding pupils of special schools,
3. current expenses planned for the budget year in the budget of the self-government unit, financed with the funds from the European Union budget for running such schools,
4. the product of the amount allocated in the education part of general subvention for the territorial self-government unit for a child covered with early development support, who has been issued the opinion on the need for early development support and the statistical number of such children in those schools,

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<sup>25</sup> Article 78b of the Act of 7<sup>th</sup> September 1991 on Education System (Journal of Laws from 2016, item 1943).

5. the product of the amount allocated in the education part of general subvention for a territorial self-government unit for a participant in rehabilitation and education classes in schools of a given type and kind, who has been issued the opinion on the need for rehabilitation and education classes and the statistical number of participants of such classes in schools,
  6. the amount of subsidy planned for a budget year in the budget of a territorial self-government unit for equipping schools with course books, education and exercise materials,
  7. the current expenses planned for a budget year in the budget of a territorial self-government unit for financing the activities of boarding schools,
  8. the current expenses planned in the budget of a territorial self-government unit for programs aimed at, inter alia, giving equal education opportunities to children and youth
- and divided by statistical number of pupils in those schools, decreased, in case of schools which are not special schools, by the statistical number of pupils who are disabled, socially maladjusted or threatened with social maladjustment in those schools, those who have been issued a decision on the need for special education due to relevant types of disability, social maladjustment or threat of social maladjustment.

The amendment of the Act on Education System also introduced the concept of statistical number of pupils. According to the provisions of the Act, the statistical number of pupils shall be understood as the number of pupils as of 30<sup>th</sup> September of the year preceding the budget year. It is necessary to determine the number of pupils as they constitute one of the parameters affecting the amount of subsidy. Before amending the Act on Education System this problem often used to be regulated by means of resolutions passed by the decision-making organ.

Territorial self-government units were also obliged to publish in the Public Information Bulletin:

- the basic amount of subsidy and its updates,
- the statistical number of pupils and its updates.

This information is of particular importance for organs running kindergartens, schools and other centers.

The provisions of the Act determine the minimum amount of subsidy which needs to be passed from the budget of the subsidizing unit onto the bank account of the school or center run by the entity which does not belong to the public sector. The general rules governing calculation of the minimum amount of education subsidy divided into types of units are presented in Table 2 below.

**Table 2.** The principles of determining the amount of education subsidy granted by territorial self-government units to entities from outside the public sector, divided into types of units, since 1<sup>st</sup> January 2017

Public kindergartens	They receive a subsidy for each pupil from the commune budget in the amount equal to the subsidy for kindergartens, but on a disabled pupil in the amount not lower than the amount allocated for such a pupil in the education part of general subvention for the commune. If there is no kindergarten run by the commune, the amount of subsidy is determined in the amount equal to the subsidy for kindergartens in the nearest commune which runs a kindergarten.
Special public kindergartens*	They receive a subsidy for each pupil from the commune budget in the amount not lower than the amount allocated for such a disabled pupil in the education part of general subvention for communes.
Other public forms of preschool education	They receive a subsidy for each pupil from the commune budget in the amount not lower than 50% of the basic amount of subsidy for kindergartens, but on a disabled pupil in the amount not lower than the amount allocated for such a disabled pupil of other form of preschool education in the education part of general subvention for the commune. If there is no kindergarten run by the commune, the amount of subsidy is determined in the amount not lower than 50% of the basic amount of subsidy for kindergartens in the nearest commune which runs a kindergarten.
Public primary schools with kindergarten sections	They receive for each pupil of the kindergarten section a subsidy from the commune budget in the amount equal to the basic amount of subsidy for primary schools in which preschool sections were created, but for a disabled pupil in the amount not lower than the amount allocated for such a disabled pupil of the preschool section in primary school in the education part of general subvention. If there is no primary school run by the commune in which a preschool section was established, the amount of subsidy is determined as equal to the basic amount of subsidy for primary schools with preschool sections in the nearest commune which runs a primary school with preschool section.
Special primary schools with kindergarten sections	They receive for each pupil of preschool section a subsidy from the district budget in the amount not lower than the amount allocated for a disabled pupil of a preschool section in primary school in the education part of general subvention for the district.
Schools in which school obligation or education obligation is fulfilled	They receive a subsidy for each child from the budget of a territorial self-government unit obliged to run such types and kinds of schools in the amount equal to the basic amount of subsidy for schools of this type and kind, not lower, however, than the amount allocated for such a pupil in the education part of general subvention for the territorial self-government unit. If in the area of the commune or district, there are no schools of such type and kind, the amount of subsidy is determined as equal to the basic amount of subsidy for schools of the given type and kind respectively in the nearest commune or district which run a school of such type and kind.
Public centers	They receive for each child a subsidy from the district budget in the amount equal to the basic amount of subsidy for centers of this type, however, not lower than the amount allocated for such a child in the education part of general subsidy for the district.
Non-public kindergartens**	They receive a subsidy for each pupil from the commune budget in the amount not lower than 75% of the basic amount of subsidy for kindergartens, but for the disabled pupil in the amount not lower than the amount allocated for such a pupil in the education part of general subvention for communes. If there is no kindergarten run by the commune, the amount of subsidy is determined as not lower than 75% of the basic amount of subsidy for kindergartens in the nearest commune which runs a kindergarten.
Non-public special kindergartens	They receive a subsidy for each pupil from the commune budget in the amount not lower than the amount allocated for such a disabled pupil in the education part of general subvention for communes.



Other non-public forms of preschool education	They receive a subsidy from the commune budget for each pupil in the amount not lower than 40% of the basic amount of subsidy for kindergartens, but for a disabled pupil in the amount not lower than the amount allocated for such a pupil in the education part of general subvention for the commune. If there is no kindergarten run by the commune, the amount of subsidy is determined as not lower than 40% of the basic amount of subsidy for kindergartens in the nearest commune which runs a kindergarten.
Non-public primary schools with kindergarten sections	They receive a subsidy from the commune budget for each pupil of the preschool section in the amount not lower than 75% of the basic amount of subsidy for primary schools with preschool sections, but for a disabled pupil in the amount not lower than the amount allocated for such a disabled pupil of preschool section in primary school in the education part of general subvention. If there is no primary school with preschool section run by the commune, the amount of subsidy is determined as not lower than 75% of the basic subsidy for primary schools with preschool sections in the nearest commune which runs a primary school with preschool sections.
Non-public special primary schools with kindergarten sections	They receive for each pupil of the preschool section the subsidy from the district budget in the amount not lower than the amount allocated for a disabled pupil from the kindergarten section in primary school in the education part of general subvention for the district.
Non-public schools with qualifications of public schools, in which school obligation and education obligation are fulfilled	They receive a subsidy in the amount not lower than the amount allocated for one pupil of a given type and kind of school in the education part of general subvention received by the territorial self-government unit.
Non-public centers	They receive a subsidy for each child in the amount not lower than the amount allocated for such a child in the education part of general subvention for the district.

\* Before the amendment from 23rd June 2016 to the Act on Education System, the amount of subsidy for special kindergartens was not subject to separate regulations.

\*\* They are not special kindergartens and they do not meet the requirements specified in Article 90 section 1b of the Act on Education System.

**Source:** own elaboration on the basis of the Act of 07th September 1991 on Education System (Journal of Laws from 2016, item 1943).

In order to determine the amount of subsidy, it is necessary to:

- determine the basis for calculating the subsidy for one pupil of the subsidized unit – by finding in Article 80 or 90 of the Act on Education System a provision which determines the way of calculating the basis of subsidy for such unit;
- multiply the amount which is the statutory basis by the coefficient (multiplier) included in the statutory construction of such basis valid for the particular self-government (this concerns some bases);
- multiply the annual subsidy calculated in this way per one pupil of the subsidized unit by the actual number of pupils in this unit. In this way we will arrive at the annual amount of subsidy due for the subsidized unit<sup>26</sup>.

The decisions of Regional Accounting Chambers and Administrative Courts indicates that the level of the rate (multiplier – percentage coefficient) valid in a given unit of territorial self-government is determined by the decision-making

<sup>26</sup> *Niepubliczne jednostki oświatowe...*, op. cit., p. 186.

body of this unit in the resolution of local law. The legislator regulated the principles of granting subsidies only by determining its bottom line, stating “not less than”. Therefore it is an exclusive competence of the decision-making body of a territorial self-government unit to determine the final amount of the subsidy<sup>27</sup>.

#### **4. The level of education subsidies granted by territorial self-government units to entities which do not belong to the public sector**

The amounts allocated for subsidies for schools run by entities other than units of territorial self-government are registered in paragraph 254 “Subject subsidy from the budget for non-public unit of education system” and in paragraph 259 “Subject subsidy from the budget for a public unit of education system run by a legal entity other than the territorial self-government unit or by an individual person”. The summarized amounts of subsidies for performing education tasks granted to entities which are not territorial self-government units are presented in Table 3 below.

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<sup>27</sup> The decision of the Supreme Administrative Court of 14<sup>th</sup> January 2009, II GSP 7/08;  
The judgment of the Province Administrative Court in Opole of 11<sup>th</sup> December 2009, I SA/Op 475/09;  
The judgment of the Province Administrative Court in Warsaw of 18<sup>th</sup> January 2012, V SA/Wa 1852/11.

**Table 3.** The summarized amounts of subsidies for performing education tasks granted by territorial self-government units to entities which are not territorial self-government units which run schools and public centers (\$259) and non-public ones (\$254) in the period of 2008–2014

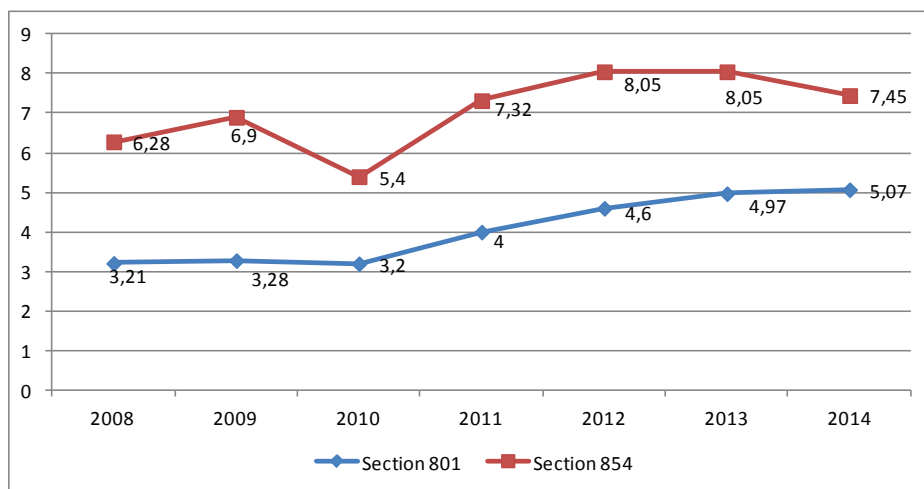
Section/ Subsection	Name	2008		2009		2010		2011		2012		2013		2014	
		PLN	%*	PLN	%*	PLN	%*	PLN	%*	PLN	%*	PLN	%*	PLN	%*
Paragraph 254															
801	education and upbringing	1398249494	3,21	1372692774	3,28	1177829753	3,20	1845427069	4,00	2276467388	4,60	2407257240	4,97	2178649238	5,07
80101	primary schools	172676416	0,40	159376415	0,38	143022292	0,39	205478482	0,45	259138545	0,52	319575307	0,66	305576242	0,71
80103	sections in primary schools	8487861	0,02	8535011	0,02	7271934	0,02	11539242	0,03	16114030	0,03	23324909,8	0,05	28661236,7	0,07
80104	kindergartens	396114337	0,91	412990247	0,99	454788887	1,24	648991307	1,41	830594778	1,68	1002614177	2,07	1020776472	2,38
80106	other preschool forms	0	0	0	0	6045985	0,02	17560115	0,04	30363025	0,06	61342703,9	0,13	72188963,9	0,17
80110	junior high schools	138842718	0,32	137861892	0,33	126350203	0,34	174716753	0,38	193315087	0,39	209748021	0,43	190111370	0,44
80120	comprehensive secondary schools	233729317	0,54	219894043	0,53	151534955	0,41	255557058	0,55	298136098	0,60	258839744	0,53	167367340	0,39
80130	vocational schools	363560409	0,83	352414640	0,84	221747792	0,60	432095831	0,94	522676017	1,06	412345879	0,85	275321154	0,64
854	education care	231592100	6,28	217339960	6,90	128118169	5,40	245924047	7,32	298836739	8,05	284588052	8,05	217047287	7,45
Paragraph 259															
801	education and upbringing	331216125	0,76	351649986	0,84	302902400	0,82	429311468	0,93	553718321	1,12	639393020	1,32	649130236	1,51
854	education care	17241281	0,47	18278353	0,58	9255723	0,39	21498626	0,64	21379663	0,58	22162674	0,63	10683642	0,37

\* % share of granted subsidies in total expenses of the section

**Source:** own collaboration based on the data from the Ministry of Finance.

The amounts allocated for subsidies for schools run by entities which are not self-government units were PLN 1398 million in 2008 for tasks registered in section 801, which accounted for 3.21% of the expenditure in this section, whereas in 2014 such subsidies reached PLN 2178 million, constituting 5.07%. Analyzing the data contained in the table we can conclude that the most important item was total tasks related to commissioning preschool care – in 2015 they accounted for 2.38% of total expenditure in the section. The analysis shows that the communes and towns with district status are most burdened with the obligation to subsidize, as they are obliged to participate in costs of preschool education. In section 854 the amount for subsidies was PLN 231 million in 2008, accounting for 6.28% of expenditure, whereas in 2014 the amount was PLN 217 million and constituted 7.45% of expenditure in section 854. Figure 1 presents the percentage share of the amounts allocated for education subsidies in total expenditure in sections 801 and 854.

Fig. 1. Percentage share of the amounts allocated for subsidies for performing education tasks by entities which are not self-government units in total education expenditure in 2008–2014



Source: own elaboration based on the data from the Ministry of Finance.

In the 2008–2014 period we observed the growth in the share occupied by subsidies granted for performance of education tasks to entities which were not self-government units in total expenditure both in section 801 and 854. Only in 2010 we could notice this share fall. In section 801 the share of subsidies grew from 3.21% in 2008 to 5.07% in 2014, whereas in section 854 the share of subsidies in total expenses reached 6.28% in 2008 and grew to 7.45% in 2014.

## 5. Checking the correctness of using the subsidy

The Act on Education System provides the subsidizing organ with some rights concerning controlling the beneficiary as to how the education subsidy is used. Before 2009 such checks could not be made. It was only in 2009 that the Act provided such an option (as this is not an absolute obligation) of controlling the subsidized units. The granted powers concern the possibility of accessing the controlled schools and centers and kindergartens and other forms of preschool education. Such control can only be performed in a situation when the subsidy resolution specifies the mode and scope of control. The decision-making body of the territorial self-government unit must define the content issues that will be checked and the procedure of checking, that is the scope and mode of the control.

The scope of control may cover the actual number of pupils in the subsidies entity and the correctness of using the subsidy in covering the running expenses of the school, kindergarten or center. The number of pupils can be controlled on the basis of the teaching documentation, the evidence of school fees paid and exemptions from such payments, as well as contracts for teaching pupils. While controlling the subsidy use, the financial and accounting records should also be checked, as well as bank account statements. However, the most important form of control consists in checking the source documentation, namely invoices and bills<sup>28</sup>.

The decisions issued by Regional Accounting Chambers and administrative courts demonstrate that the settlement of subsidies using only the number of pupils is insufficient<sup>29</sup>. At the same time, it is emphasized that it is not allowed to impose by means of local law such obligations on the controlled units which are not stipulated in the Act on Education System, related, for example, with the necessity to make copies and extracts from documents certified as conforming to original documents<sup>30</sup>.

The education subsidy use control should end with signing the protocol. In the event the party refuses to sign the protocol, it should provide explanations for the reasons for such refusal. In a situation when the controlled party does not agree with the findings, the resolution should ensure the controlled entity has the right to make objections and provide explanations.

An ambiguous issue is connected with adding a provision on post-control recommendations to the resolution. The decisions of the Regional Accounting

<sup>28</sup> The judgment of the Province Administrative Court in Gliwice from 24<sup>th</sup> October 2013, I SA/Gl 98/13.

<sup>29</sup> The resolution of the Board of the Regional Accounting Chamber in Kraków from 7<sup>th</sup> May 2014, No KI-411/135/14 (Official Journal of Małopolska Province from 2014, item 2835).

<sup>30</sup> The resolution of the Board of Regional Accounting Chamber in Zielona Góra from 29<sup>th</sup> July 2015, No 162/2015 (Official Journal of Lubuskie Province from 2015, item 1437).

Chambers question the post-control recommendations as an element of control<sup>31</sup>. However, in accordance with the delegation provision, the decision-making body is entitled to determine the control mode and post-control recommendations are an element of the control mode. The next step, in case of finding irregularities is to initiate the administrative proceedings based on Administrative Procedure Code. However, a much simpler solution seems to consist in giving post-control recommendations which the subsidized unit will comply with.

## 6. Conclusions

For the entities outside the public sector which run public and non-public schools and centers, subsidies granted by territorial self-government units constitute some form of supporting these entities. It should be emphasized that subsidizing schools and centers run by private entities is obligatory and the person managing such an entity is entitled to claim the subsidy<sup>32</sup>. The process of transferring, spending an accounting for the subsidy is subject to regulations defined in provisions of law, as it concerns public funds.

The new regulations concerning education subsidies, which became valid on 1<sup>st</sup> January 2017 were implemented by the Act of 23<sup>rd</sup> June 2016 Amending the Act on Education System and Some Other Acts. The above amendment specifies and organizes provisions regulating the area of education subsidies.

The amendment introduces the concept of basic amount of subsidy, which is of vital importance for the process of determining the amount of the subsidy. To meet the need for determining the subsidy the amendment also introduced the concept of the statistical number of pupils. A major novelty is the introduction of the necessity to publish the basic amount of subsidy and the statistical number of pupils. On 1<sup>st</sup> January another provision was implemented, defining the concept of running expenses, which constitute the basis for determining the basic amount of subsidy and the basis for deeming a particular commune as the “nearest” commune and a particular district as the “nearest” district.

The new provisions of the Act on Education System certainly match the expectations of the entities interested in determining the amount of education subsidy. However, only their practical application will help us assess their real influence on the process of determining, transferring and accounting for the education subsidies.

<sup>31</sup> The resolution of the Board of Regional Accounting Chamber in Warsaw from 29<sup>th</sup> March 2011; No 114/K/11 (Official Journal of Mazowieckie Province from 2011, No 103, item 3276).

<sup>32</sup> A. Piszko, *Dotacje w oświacie po zmianach. Nowe zasady przyznawania dotacji od 1 stycznia 2017 r.* INFOR, Warszawa 2016, p. 9.



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## **Challenges in managing of small sector business and its influence on local business (on the example of małe dobrevineyard, close to Kazimierz Dolny, Poland)**

### **Проблемы управления малого сектора бизнеса и его влияние на местное бизнес (на примере малых добрений, закрывающихся к кимимерусу нижней Казимеж Дольны, Польше)**

#### **Summary**

Author presents and describes all the important factors which contributed to set up a new venture in a rural area (agritourism). Beside the main factor which was to make money and to do business in the area, variety of positive aspects for the region have been named, like easy access to technologies and innovations for local farmers, stimulation of local business or increase in popularity of the whole region. Creation of the new agriculture style, creation of new jobs as well as reconstruction of historical heritage have been also shown on this example.

**Keywords:** agritourism, budgeting, entrepreneurship, financing, marketing, total quality management.

#### **Резюме**

Автор представляет и описывает все важные факторы, которые способствовали созданию нового предприятия в сельской местности (агротуризм). Помимо основного фактора, который должен был делать деньги и вести бизнес в этом районе, были названы различные позитивные аспекты для региона, такие как легкий доступ к технологиям и инновациям для местных фермеров, стимулирование местного бизнеса или увеличение популярности всего область. На этом примере также показано создание нового стиля сельского хозяйства, создание новых рабочих мест, а также реконструкция исторического наследия.

**Ключевые слова:** агротуризм, бюджетирование, предпринимательство, финансирование, маркетинг, общее управление качеством.

## Introduction

Doing business in rural area is hard and complex thing. Doing business in rural area which is relatively close to town – can be easier. Doing business like producing and offering products and services for tourists, financing, budgeting and forecasting the whole project, cooperate with the local authorities – is complicated, complex, but possible thing. A good example of entrepreneurship program is MAŁE DOBRE -Vineyard close to KAZIMIERZ DOLNY about 170 km south of Warsaw.

### 1. Characteristics of the project

Initially, the beautiful piece of land has been offered by the local government to build a luxury apartments as well as resting area for the local residents and tourists. As talks and negotiations among the owners, investors and representatives of local government have broken up, the idea of starting quite a new venture emerged.

There were several important factors which have been considered and which have heavily helped to take such decision. First of all – Kazimierz Dolny town. Beautiful historical settlement of old tradition, already in the past one of the most important urban centers of the province.

The town itself is a significant tourist attraction, having its greatest prosperity in the 16th and the first half of the 17th century, due to the trade in grain, being conducted along the Vistula river. Important factor was, that since the 19th century it has become a popular short holiday destination, attracting summer residents, tourists as well as artists.

The town is one of Poland's official national Historic Monuments and tracked by the National Heritage Board of Poland. The local tourism development strategy focuses on the villages and towns around Kazimierz Dolny, which also undergo the process of permanent development, offering great places for visiting, spending nights in modern and comfortable hotels and taverns, biking and horse riding. They also feature scenic rural landscapes and offer well-developed agritourism accommodation facilities, as the areas surrounding the town are very attractive and worth seeing.

The chain of all-year long transportation system (small buses, private coaches, vans, motor vehicles) between many local places surrounding Kazimierz Dolny is well developed, making it possible to reach practically each of the required destination within short time.

Many people coming to Kazimierz Dolny usually restrict their tourist activity to visiting the market square and the neighboring monuments, such as St. John

the Baptist and St. Bartholomew the Apostle Parish Church, the castle complex, the synagogue and a few other sites.

Thus – the idea of offering something more for the visitors has emerged, despite the fact that its neighboring villages offer comfortable and affordable accommodation facilities, and their number is constantly growing. Available accommodation facilities include: hotels, boarding houses, leisure centers, hostels, RV parks and campsites, guesthouses and rural lodgings (i.e. cottages and agritourism farms) and others. You can select from the rich local accommodation offer all year round in Kazimierz Dolny. You can choose between hotels, several spa resorts, many boarding houses, a dozen of finest restaurants, cafes, chocolate lounges, pizzerias, wine bars and pubs.

## 2. Important aspects for the project

Location of Kazimierz Dolny as touristic attraction, its historical value, the idea of reconstruction of historical heritage as well as all the features mentioned above, were important factors to set up a new venture in this area – the vineyard in Małe Dobre<sup>1</sup>.

Another reason was, that the city is located close to Warsaw, with its relatively well off and ready to travel inhabitants.

To get there from the city center it usually takes less than two hours, so even those who want to spend just one day in Kazimierz Dolny, can easily manage to get there, have some fun and come back on the same day. But of course most visitors are coming for a weekend or for a few days.

But just to produce wine – it was not the only and primary idea of the owners. There should follow other activities and attractions which would add some more power to the project, enrich the offer and bring additional value and profit for the investors.

From the Marketing and Operations Management point of view, the following aspects of the whole venture have been considered by the entrepreneurs as follows:

### (a) Location

Situated in very attractive place and close to Warsaw, easy road transport, low cost of land, local taxes and rates, appropriate, experienced labor skills available.

### (b) Capacity

Relatively small project at the beginning, with growing potential after having gained its name, reputation and higher production (occasional over demand should be balanced against overcapacity), as lost market share tend to be irreversible.

<sup>1</sup> More detailed descriptions in: <http://www.kazimierz-dolny.pl/>; A. Marszewski, *Moja przygoda z winnicą czyli zintegrowane zarządzanie środowiskowe w praktyce*, „Wiadomości Uczelniane”, czasopismo Wyższej Szkoły Ekologii i Zarządzania, Nr 1 (17), Luty 2010, Warszawa.

Each producer has to make difficult decisions about the size of the production capacity. Having a large capacity enables the vine producers to meet unexpected increases in demand. It is obvious that producing large quantities of wine allows to take advantage of lowering the average fixed cost per each bottle produced, but in this case the time factor, quality and reputation was most important.

#### (c) Inventory

Very small at the beginning, as the whole production had to be offered immediately to customers in order to enter the market and to gain customers reputation.

#### (d) Layout:

Due to the specific type of production- (wine), the whole layout of production facilities has been arranged according to the needs and typical standards for wine production.

The main following stages can be distinguished: delivery of fresh grapes, selecting, pressing, processing, filling up, labeling, inventory of ready bottles.

Additional space has been arranged for wine testing for visiting groups, restaurant and few rooms for tourists who decide to stay more than one day.

#### (e) Quality

Quality of the product is being controlled permanently during the growth and maturity stage and during production processes – on the field and in the building. Most of the chemical processes must be controlled during the process of fermentation while adding necessary supplements and during the mixing processes. No mistakes can be made.

The concept of Total Quality Management (TQM) has found here special meaning, according to which management should ensure that quality extends throughout the organization in everything it does, or at least in all features of products and services that are important to the customer.

To produce wine, the company should aim for the highest quality level possible, as lack of quality can be more expensive than achieving high quality.

The issue of benchmarking plays a significant role in wine production process and should be always considered and implemented when necessary and possible.

### 3. Targets for the product

All the issues mentioned above play very important role, as the targets of production manager usually concentrate on the questions such as:

What type of product to produce (white, red or rose wine)?

How to concentrate on quality and taste of the product?

How to produce the maximum possible volume of output?

How to utilize fully the production site or the work force?



How to reduce the lead time?

How to generate the maximum return on assets?

How to ensure flexibility?

Some of these objectives are really incompatible, and most of producers have to choose between price, quality and flexibility.

There has always been an elementary trade-off between low cost and quality and another – between low cost and the flexibility to customize products or to deliver them in a very short lead time (especially fresh grapes from the field right to the processing room).

Apart from the issues involving production and operations management, there have been another questions which emerged – namely how to deal with typical managerial tasks.

The natural process in vineyard management is, that the whole vineyard is permanently growing, due to the bigger and bigger area used for plantation.

It requires also increasing the volume of a new, bigger plant, expanding its activities, employing more people, buying new machines, automatization, using new distribution channels and so on.

Thus, one of the most important questions for the plant manager is the issue of innovation.

The whole business environment, regardless of its type – is continually changing. All products, services, markets, distribution channels, technologies, fashions, trends and processes are aging. There is a constant evolution in the needs of customers, technological skills of competing companies and new producers entering the market. To be innovative – means to respond promptly to the needs of customers, to deliver them the most required product and to be faster than competitors. In this particular case duty of plant manager is not an easy task.

To produce relatively good wine it takes 2–3 years. There is a need to be able to predict the new trends, to analyze the market situation, to follow the changes. And then – to implement all those innovations hoping that the observations and decisions were correct<sup>2</sup>.

It is not possible to speed up the production process, since each decision must be well balanced, correct and based on exact analysis. The issue of innovation is one of the most crucial decisions while managing the vineyard.

Another important task is the question of growth and development of the vineyard.

Some possible forms of growing in this particular case are:

A – Extensive growth

B – Intensive growth

C – Market development

D – Horizontal Integration

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<sup>2</sup> Beazley M., *The art and science of wine*, Octopus Publishing Group Ltd, London 2006.

E – Vertical Integration

F – Product development

G – Market penetration

Especially two types of forms listed above are significant for this kind of business:

- Horizontal Integration – mergers or takeovers among firms producing the same type of goods (wine) or services (accommodation, entertainment, trainings), or
- Vertical Integration – merger with or acquisition of either a company's suppliers (backward integration – wine producers and growers) or its marketing outlets (forward integration – own shops, outlets, sales on trades, fairs or sales during own presentations).

Recently we observe intensive growth in number of new vineyards, especially in Kazimierz Dolny area, but they do not compete each other, but rather help each other. The owners and managers meet regularly to discuss all important issues for further cooperation, exchange experience, talk about opportunities, threats, strengths and weaknesses of the branch (SWOT). The market is still too young and too weak to develop the real competition, and all of them need additional help, information and examples to be more successful and to avoid mistakes.

Managers become friends and spend much time together, tasting wines, discussing problems and prizing good quality, which in general contributes positively to development of the still new branch. And this is very positive aspect of this hard, but pleasant business.

Another important challenge for the owners was the question of marketing. And again – there were some important questions to be solved by the partners, who wanted to produce wine, to sell it, to run a small, local hotel, to entertain tourists – in other words – to compete on several levels of business successfully.

As usually – first thing to do was to analyze marketing environment, which means to analyze the economic situation of potential customers, cultural, demographic (young families with children) and technological changes (easy access to internet booking and information).

This was necessary to be able to plan marketing activities and market opportunities and also to measure current and future demand for wine (number of rooms, production volume, number of visitors per annum and so on).

It is true that overall marketing environment can change, but in such a case company's marketing programs can change too.

Next step was to forecast the market. It was not very hard task, as there have always been many tourists around looking for new places to visit, which could offer something unusual and attractive, and the vineyard was attractive enough.

There are various methods of forecasting, but generally they all depend on one of three factors:<sup>3</sup>

A – what people say

B – what people do (which is not always the same), and

C – what they have done in the past

Many people were enthusiastic about the new idea and the important task was to estimate the total market potential, which is to forecast the number of tourists (buyers) and the average quantity and types of wine (red, white, rose), that they will purchase in the future.

Good businessmen who are marketers, should not only identify consumer needs – they should influence them by developing new products, services and attractions. Good example of such an idea was organizing special tours for visitors so they could know the vineyard, to tell them about its beginnings and plans for future, to give them opportunity to taste wine, to explain and to show them the production process, to organize for them special evenings with local food and music, to offer them bicycles to know the local area and to visit another, situated not far away vineyard.

Marketers should design marketing strategies and plan marketing programs, and then organize, implement and control the marketing effort. As soon as the basic concept has been established, we should think about the marketing mix – the set of various elements of the whole marketing program and the number of effort which is needed to influence the target market. Generally, the best known classification of these elements is the 4 P's – Product, Price, Place and Promotion.

The next stage is to create long-term demand, for example by modifying particular features of the product (shape or size of bottle, new color, new label – in the case of the Małe Dobrze vineyard the label has been designed by famous Polish artist), to satisfy changes in consumer needs or market conditions.

The final part of the activities which had to be considered regarding marketing strategy and management of this project – is promotion and promotional tools.

As it was already mentioned, marketing involves identifying consumer needs and developing these goods and services to satisfy them. This involves developing the right product, using the right pricing and making it available to target customers. And next – it is necessary to inform the potential customers about the existence of the company (vineyard) and its product (vine, accommodation, attractions).

For the consumer goods (vine, accommodation, meals), the most important tool is generally advertising. Each company tries to build up the company's name or image and wants to inform potential customers about product's existence, its

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<sup>3</sup> Robbins S., *Fundamentals of Management : Essential Concepts and Applications*, Prentice Hall, INC 2002

features and its advantages and persuades them to buy them. Very useful system has been introduced for this process, called AIDA, which represents Attention, Interest, Desire and Action. However in variety of marketing books we can distinguish four basic promotional tools:

- Advertising
- Sales Promotion
- Public Relation, and
- Personal Selling

Summing up – starting this business, several key questions had to be considered which can be summarized as follows:

- What is our business ?
- Who are our customers ?
- What do our customers want ?
- How much will our customers buy and at what price ?
- Do we want to be a product leader?
- What advantages do we have in serving customer needs?
- How should we respond to existing and potential competition?
- What profits can we expect?
- What basic form should our strategy take?

Having positively answered them, the team of experienced investors decided to start the project WINNICA MAŁE DOBRE close to Kazimierz Dolny, which is still developing and growing, contributing positively to the local offer for tourists and short time visitors to this beautiful region.

## Conclusions

Having in mind this project, following positive aspects for different groups can be distinguished:

I – Investors, who can be easily called entrepreneurs, who gained interesting project which makes it possible to realize their dreams and passion, using their experience, knowledge and strong will, with the hope to make money.

II – Local farmers, who got access to new technologies, modern forms of management, innovation, have chance to get challenging job and opportunity to develop own form of modern, profitable business.

III – Tourists, who obtained a new, attractive offer to spend their free time on the vineyard, with the possibility to experience something new, to learn about the wine production, to taste wine, to stay overnight, to get in touch with local folklore style of life and culture (enotourism and agritourism).

IV – Local authorities, who got more income from taxes, the whole local offer became more attractive for tourists, which resulted in bigger popularity of the region.

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## Theoretical aspects of terrorism

### Теоретические аспекты терроризма

#### Summary

The article covers one of the major phenomena threatening the security of the modern world, which undoubtedly is the phenomenon of terrorism. It primarily aims at explaining the concept and genesis of this phenomenon, its essence, identifying its most important sources and motives, and at the same time it tries to identify actions that can reduce the threat of terrorism in the modern world.

#### Резюме

Статья была посвящена одному из основных явлений, угрожающих безопасности современного мира, что, несомненно, является феноменом терроризма. Статья в первую очередь направлена на объяснение концепции и генезиса этого явления, его сущности, выявление наиболее важных источников и мотивов возникновения, и в то же время попытаться определить действия, которые могут уменьшить угрозу терроризма в современном мире.

**Keywords:** notion of terrorism, essence of terrorism, genesis of terrorism, sources of terrorism.

**Ключевые слова:** терроризма, генезис терроризма, источники терроризма.



## Introduction: genesis of terrorism

Given the variety of definitions of terrorism and the possibility to fit them to almost every act of violence that affects the human psyche in the form of fear and anxiety it can be argued that this phenomenon has existed since the dawn of humanity, although it may have been called otherwise at different times.

Terrorism in antiquity did not reveal all the aspects that characterize the current phenomena and acts of terror. Of course, also the weapons and means used by terrorists differed diametrically from those currently in use. Consequently, it can be argued that terrorism has evolved over the centuries<sup>1</sup>.

In antiquity and the Middle Ages, it was mainly used as a political tool. Tyrants in the ancient world ruled with power and terror what gave the ground to the theories that justify the use of all forces and means by people who oppose criminal power.

The history of ancient Rome is a constant struggle between aristocrats. The most famous act of terror in the ancient world was the assassination of Rome's dictator Julius Caesar by conspiracy by Roman senators on March 15, 44 BC. This act was recognized by the researchers as a pioneering, individual act of terrorism<sup>2</sup>.

It should be emphasized that Herostratus of Ephesus, who set fire to the Temple of Artemis in 356 BC was called the first terrorist in history. An unknown shoemaker just for fame set fire and destroyed the temple which was considered one of the wonders of the world. For this shameful act the court sentenced him to death in torture, and his name was to be deleted from all the books and tables. But it turned otherwise because of the extant information written by Theopompus<sup>3</sup>.

Analysis of past centuries shows that terrorism was a tool for fighting against a stronger opponent. Over the years, it has developed into organizations where perpetrators have joined forces in larger communities, what gave them possibility to attack their opponents more effectively and kill on a large scale.

An example of such an organization was a religious sect called the Sicarii originated in Palestine and created in the years 66–70 AD. The most spectacular acts of terror were the destruction of the Herod's palaces and the sabotage of water supplies to Jerusalem.

Organization similar to the Sicarii was Assassins established in Syria and Persia in the early 11th century. The sect was used by the Seljuk Turks to murder for political and religious reasons. The Egyptians and the Mongolians, in the 13th

<sup>1</sup> B. Hoffman, *Oblicza terroryzmu*, Wyd. Bertelsmann Media, Warszawa 1999, p. 34.

<sup>2</sup> J. Tomaszewicz, *Terroryzm na tle przemocy politycznej. Zarys encyklopedyczny*, Wyd. Apis, Katowice 2000, p. 38.

<sup>3</sup> R. Borkowski, *Konflikty współczesnego świata*, Wyd. Akademii Górniczo-Hutniczej im. Stanisława Staszica, wyd. I, Kraków 2001, p. 120.

century, destroyed this organization and brought it to a complete disintegration. However their brutal achievements have never been forgotten<sup>4</sup>.

Another historical example is the rule of Russian Tsar Ivan the Terrible (1564–1572), who was famous for the use of the bestial terror in his rule<sup>5</sup>.

During the French Revolution, which took a toll of more than 40,000 lives and almost 300,000 people oppressed, the rule of the Committee of Public Safety was called “the great terror” and Jacobins were called “terrorists”<sup>6</sup>. Most of the executions took place without court verdicts. The bloody period of French terror was ended when Robespierre and his followers were guillotined.

In summary, the phenomenon of terrorism, understood as various acts of violence, has existed since the dawn of humanity, although until the mid-nineteenth century they were identified with various forms of intimidation and elimination of opponents.

Contrary to contemporary meaning, terrorism was a tool of power or a weapon to maintain the unity of the state and fight against threats. Modern terrorism developed in the second half of the nineteenth century as a result of the fall of the French Revolution, the development of capitalist thought and the emergence of new ideologies. Anarchists propagating rebellion against the existing social order are deemed as precursors of modern terrorism.

The end of the nineteenth century was a period of terrorist attacks in Europe. An example of a terrorist organization operating in Spain was *Mano Negra* (Black Hand). During this period, several heads of states were attacked. French President L. Carnot (1884), Spanish Prime Minister C. deCastillo (1897), Austrian Empress Elisabeth (1898), Italian King Humbert (1900), US President W. McKinley (1901) were assassinated then.

After the end of the Second World War, terrorism again began to refer to its historical-revolutionary links which it is most often associated with. The struggle of various nationalist organizations against the colonial powers has returned. It is thanks to such moves that the states such as Cyprus, Algeria, Kenya and Israel owe their independence. Groups fighting for autonomy, as well as for the right to self-determination were called “freedom fighters” by the international community<sup>7</sup>.

By the end of the 1970s, terrorism was perceived in a revolutionary context, but its scope covered separatist national and ethnic groups without colonial connotations as well as motivated ideologically radical organizations. For many national minorities condemned to exile and stripped of voting rights, terrorism

<sup>4</sup> J. Wassermann, *Templariusze i asasyni. Dwa tajemne zakony – chrześcijańskich templariuszy i muzułmańskich asasynów*, Wyd. Bellona, Warszawa 2007, p. 67–69.

<sup>5</sup> R. Borkowski, *Konflikty...*, p. 12.

<sup>6</sup> P. Jaroszyński, *Terroryzm dawnej i dziś*, Wyd. KUL, Lublin 2010, p. 77.

<sup>7</sup> B. Hołyst, *Kryminalistyka*, Wyd. LexisNexis, Warszawa 1981, p. 74–75.

was a medium which they could use to inform the world about their problems, goals and existence.

The turning point of the modern terrorism was the day of July 22, 1968, where members of the Popular Front for the Liberation of Palestine hijacked a plane belonging to the Israeli El Al lines. By forcing the government to contact them directly terrorists discovered the power of the media for the first time<sup>8</sup>. The price for hostages freedom was the release of Palestinian terrorists from the Israeli prison. This action, regardless of its failure, drew the world's attention to the Palestinian problem<sup>9</sup>.

The 90s of the twentieth century since the collapse of the Soviet Union were another phase of terrorist evolution. The activity of terrorism inspired by the communist ideology has expired, and it was replaced by Islamic terrorism, initiated by the Iranian revolution in 1979. Examples include Palestinian Hamas, Lebanese Hezbollah, and the Algerian Islamic Salvation Army.

At the beginning of the twenty-first century, a terrorist fundamentalist group with the greatest international publicity was Al-Qaida. On September 11, 2001 members of this organization have committed the largest terrorist attack in the history of humanity attacking the World Trade Center and the Pentagon<sup>10</sup>.

In recent years, the greatest problem of the modern Christian world and the developed Western countries is the so-called. ISIS. In practice it is a self-proclaimed caliphate based in Iraq and Syria. The goal of this group is to create an Islamic state based on Sharia law that defines rituals and religious customs, as well as the organization of religious power and the life of every Muslim. It is an organization of Sunni extremists trying to reach their goals in the bestial and ruthless way.

In summarizing the genesis and development of terrorism, it is important to mention that the 21st century marks the development of postmodern terrorism which has no boundaries and is characterized by absolute lack of ethical principles. Terrorists representing this trend do not make a precise choice of targets. They have no rational, no demands that can be fulfilled, nor they formulate a message addressed to society. Their action are religiously and ideologically motivated, and their attacks are considered by their partners to be sacred.

## Sources and causes of terrorism

In order to understand the nature of terrorism one should know its source. In addition, in order to accurately determine the cause of terrorism, it is necessary to discover where it originates. One of the main areas for generating terrorism is politics. In essence, the political source is born of pluralism of views and diffe-

<sup>8</sup> A. Koziel, *Media masowe wobec przemocy i terroryzmu*, Wyd. ASPRA-JR, Warszawa 2009, p. 45.

<sup>9</sup> W. Dietl, K. Hirschmann, R. Tophoven, *Terroryzm*, PWN, Warszawa 2009, p. 34.

<sup>10</sup> J. Tomasiewicz, *Terroryzm...*, p. 195–316.

rent political interests. The standard scheme of operation of the political machine prevents the weaker party from achieving success and blocks the possibility of its occurrence in the political arena. In these conditions, the belief in the rightness of political arguments motivates the use of radical means that often go beyond the generally accepted methods of political struggle<sup>11</sup>.

Another example that needs to be mentioned is a social source which stems from a peculiar set of events that initiate attempts to carry out rapid and radical social changes triggered by the lack of satisfaction from the current life standard<sup>12</sup>. Such embarrassment, which is not accepted by individuals and social groups, motivates actions aimed at improving the economic and financial situation using terrorist methods.

The most unpredictable source, which is the result of a variety of interactions that cause mental disorders, is the psychological one<sup>13</sup>. In this case, the disorder refers to a particular person. In comparison to the previously mentioned sources, it is more dangerous because it is not possible to reduce and eliminate it<sup>14</sup>.

In turn, the strong influence on the followers of different religions that cause terrorism constitute religious sources. This influence due to religious identity is especially vivid for Muslims, because Islam as a religion that determines all areas of life. Mainly, they are areas such as society, politics and culture. In this case, spreading the faith among the growing number of followers may, by virtue of its strength, be the cause of deviation when use of terrorist methods is acceptable.

Civilizational and cultural source is the result of the existing cultural differences. They are defined by conflicts between two attitudes that are contradictory or somewhat different. Examples of these are the different lifestyles, different moral patterns that can contribute to fighting each other using terrorist methods.

Situations that determines the nature and intensity of activity, the background of the organization originate from cultural background. Whether it is socially acceptable or not depends largely on the cultural background that shapes social attitudes and determines the perception of reality as well.

Lack of civil liberties, democracy and the rule of law often associated with weak or failed state are the most frequently mentioned causes of terrorism. Other causes may be rapid changes and modernization. Other causes for the emergence of terrorism are secular or religious extremist ideologies. Historical events, such as political violence, outbreak of civil war, revolution, creation of dictatorship, or occupation, can trigger terrorism. Other causes that have to be mentioned are hegemony and inequality of powers and illegal or corrupt government. Impul-

<sup>11</sup> T. Białek, *Terroryzm – manipulacja strachem*, Wyd. StudioEMKA, Warszawa 2005, p. 62.

<sup>12</sup> R. S. Robins, J. M. Post, *Paranoja polityczna. Psychologia nienawiści*, Wyd. Książka i Wiedza, Warszawa 1999, p. 167.

<sup>13</sup> J. Horgan, *Psychologia terroryzmu*, Wyd. PWN, Warszawa 2008, p. 34.

<sup>14</sup> *Ibid.*, p. 63.

ses that create acts of terror can be strong external entities supporting the illegal government.

One of the causes mentioned above is usually enough to trigger a tragedy. Depending on the circumstances, terrorism can also be generated by several causes at once. It seems that the best way to win the fight against terrorism is to eliminate and limit its causes.

## The concept and typology of terrorism

It is difficult to clarify the concept of terrorism because time and certain events have changed the meaning and application of this term. It should be noted that it is problematic to distinguish terrorism from other processes that may be more or less related<sup>15</sup>. Whether the action should be deemed as terrorism or criminal crime is often subjective because it is considered in the political and moral context of the struggle in which some political parties are involved<sup>16</sup>.

In 1937 League of Nations Convention for the Prevention and Punishment of Terrorism it was defined as a form of criminal activity directed against states aimed at creating a state of terror in the minds of people, groups or societies<sup>17</sup>.

The UN International Law Commission defines terrorism as "undertaking or encouragement by the authorities of a State of terrorist activities in another State". In this case, we include criminal activities that are directed against the population of the state or other state, and any acts aimed at triggering a state of terror in the minds of officials, groups or the whole of society<sup>18</sup>.

Although the concept of terrorism has been debated at various international conferences, it has not been clearly defined yet. Currently there are over one hundred definitions of terrorism. Political conditions are undoubtedly the main reason for the lack of a clear explanation for this notion<sup>19</sup>.

The European Commission acknowledged that terrorism is "any intentional acts committed by individuals or organizations against one or several countries, their institutions or population with the aim of: seriously intimidating and seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation"<sup>20</sup>.

<sup>15</sup> K. Liedel, *Zarządzanie informacją w walce z terroryzmem*, Wyd. TRIO, Warszawa 2010, p. 14.

<sup>16</sup> T. Goban-Klas, *Media i terroryści. Czy zastraszą nas na śmierć*, Wyd. Uniwersytetu Jagiellońskiego, Kraków 2009, p. 2.

<sup>17</sup> R. Borowski, *Terroryzm ponowoczesny. Studium z antropologii polityki*, Wyd. Adam Marszałek, Toruń 2006, p. 38.

<sup>18</sup> Pawlak, *Terroryzm międzynarodowy – aspekty polityczne i prawne*, „Sprawy Międzynarodowe” 1982, no 9, p. 21–32.

<sup>19</sup> K. Sławik, *hasło „Terroryzm”*, Nowa Encyklopedia Powszechna PWN, t. 6, Warszawa 1997, p. 370.

<sup>20</sup> J. Pawłowski, *Terroryzm we współczesnym świecie*, Wyd. Wojsko i Wychowanie, Warszawa 2001, p. 12.

On the other hand, the Parliamentary Assembly of the Council of Europe considered an act of terrorism to be “any offence committed by individuals or groups resorting to violence or threatening to use violence against a country, its institutions, its population in general or specific individuals which, being motivated by separatist aspirations, extremist ideological conceptions, fanaticism or irrational and subjective factors, is intended to create a climate of terror among official authorities, certain individuals or groups in society or the general public”.

Since the second half of the twentieth century, terrorism has been defined as an organized activity of individuals or groups aimed at disorganization of social life. During this period, researchers attempted for the first time to delineate concepts of terrorism and terror. There were foundations of the theory of terrorism. According to B. Bolechów, terror is the way in which the state affects its citizens through the use of crime, fear and violence<sup>21</sup>.

On the other hand, M. Gołaszewska defines terrorism as a political movement that has arisen as a result of mental disorders as well as frustration, characterized by a desire for publicity and power, naivety and brutality<sup>22</sup>.

The multidisciplinary nature of the phenomenon of terrorism creates difficulties in precise definition of this issue. It can be said that almost every act of violence against the public can be called a terrorist attack<sup>23</sup>.

American experts claim that terrorism is determined by means used, not by the origin and identity of perpetrators, or the cause of the incident. *Modi operandi* cannot, however, be considered from the perspective of the attack, ie. techniques and tactics at the scene of the act. Therefore, all phases of the attack should be considered comprehensively from intention up to using the results of the executed criminal act as a combination of these factors.

According to the definition adopted by the academics terrorism is various ideologically motivated, planned and organized actions of individuals or groups that result in violation of the existing legal order, undertaken to force specific behavior and benefits from the state and society, often violating the interests of outsiders. These actions are carried out with total ruthlessness, using various means to give them publicity and purposefully create fear in the society.

All of the above definitions are general and their basic role is the most precise description of the characteristics of terrorism. However, the development of a single, universal definition that covers the whole range, absolutely all aspects and variations of such a complex and complicated phenomenon as terrorism does not seem to be possible.

<sup>21</sup> B. Bolechów, *Terroryzm w świecie poddwubiegunowym. Przewartościowania i kontynuacje*, Wyd. Adam Marszałek, Toruń 2002, p. 27.

<sup>22</sup> M. Gołaszewska, *Fascynacja złem. Eseje z teorii wartości*, PWN, Warszawa-Kraków 1994.

<sup>23</sup> R. Borkowski, *Terroryzm ponowoczesny. Studium z antropologii polityki*, Wyd. Adam Marszałek, Toruń 2006.

A typology of terrorism gives a completely different view of this phenomenon. B. Bolechów created a typology in which the criterion of division is the goals of terrorist activities. He distinguished three types of terrorism: state, ethnic and international.

*Encyklopedia terroryzmu* (*The Encyclopedia of Terrorism*) presents three types of terrorist activities, such as revolutionary terrorism, terrorism related to military activities carried out by the political opposition and state terrorism. Taking into account the political strategy terrorist activities are divided into terrorism of "propaganda by deed", which acts as a detonator of rebellion, indicating the existence of a group fighting for specific ideals, thus deluding like-minded people to join in a common struggle; direct terrorism which aims at bringing down the existing order and replacing it with another, organized by terrorists; indirect terrorism – terrorist activity leading to political change in the country characterized by reluctance to assume responsibility for the exercise of state power, eg Ku Klux Klan<sup>24</sup>.

There is no single universal concept of terrorism that covers all its aspects. To study this shady area of human activity it is necessary to apply and use many sources and definitions. Sometimes it is necessary to create a new definition that is a patchwork of existing theories in order to accurately describe and understand the particular act of terror.

## Conclusions

In order to reduce the scale of terrorism, a lot of effort is needed to reduce social injustice. If prevention of this kind can help to save at least one human life – it is worth to develop a global culture of solidarity and equality that gives the society a hope for a future free of terror. Equally important is the role of state investment in prevention, training and the development of anti-terrorist systems and programs.

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<sup>24</sup> *Encyklopedia terroryzmu*, ed. A. Zasieczny, Wydawnictwo Muza, Warszawa 2004, p. 132.



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## Juvenile delinquency and role of correctional centers

### Роль воспитательных центров и преступность несовершеннолетних

#### Summary

Crime among juveniles has always existed. In the modern world it is an increasingly visible and growing phenomenon, for sure. In its destructive form, it is a serious problem and it is considered a social phenomenon due to the size and various forms of its manifestations. Currently, the link between this phenomenon and development, technical progress and urbanization is underlined. Consequently, it is connected with the social mobility of the masses of the population and changes in family relations. Symptoms of this are: increased drug addiction, alcoholism, suicide and crime mainly among teenagers.

**Keywords:** juvenile, demoralization, youth detention centers, juvenile delinquency, correctional centers.

#### Резюме

Преступность среди несовершеннолетних всегда существовал. В современном мире, конечно же, это явление более заметным и продолжает расти. В своей деструктивной форме это серьезная проблема, и она считается социальным явлением из-за размера и различных форм ее проявлений. В настоящее время подчеркивается связь между этим явлением и развитием, техническим прогрессом и урбанизацией. Следовательно, это связано с социальной мобильностью населения и изменениями в семейных отношениях. Симптомы этого: повышенная наркомания, алкоголизм, самоубийство и преступность в основном среди подростков.

**Ключевые слова:** несовершеннолетний, деморализация, исправительные учреждения, преступность несовершеннолетних, воспитательные центры.

## Notion of a juvenile

An unambiguous and strict definition of a juvenile is difficult. This is due to the need to include social, moral, psychological, or legal concepts in the analysis of the notion “juvenile”. In the structure of this term the following issues are identified: committing antisocial acts, committing acts that violate social and moral patterns, conflict with the society, behavior colliding with the values of culture in which he or she lives; juvenile acts arouse disapproval in the environment (in a narrow term), as well as in the public (in a broad term), juvenile acts require intervention of the competent authorities<sup>1</sup>.

The notion of a “juvenile” should be distinguished from “minor” and “young criminal”. Minority is a notion derived from civil law. According to the Civil Code, a minor will be called a person who is under the age of 18 and has not entered into a marriage. Adolescence is reached when you are 18 years of age or earlier by marriage<sup>2</sup>. A “young criminal” is a perpetrator who, at the time of the commission of a prohibited act has not reached the age of 21 years and has not reached the age of 24 years at the time of the trial in the first instance court<sup>3</sup>.

Criminal law can distinguish juvenile offenders under the Penal Code as persons who are under the age of 17. This category includes two groups: juveniles unable to be attributed a guilt and thus incapable of committing an offense, but are only executing a criminal offense; juveniles who may be responsible for committing criminal offenses as defined in the Penal Code<sup>4</sup>. Another approach is to define according to the Juvenile Act of 1982, among them: people under the age of 18 showing signs of demoralization, child who committed criminal deeds after the age of 13 but before attaining the age of 17, persons up to 21 years of age who were subject to educational or correctional measures<sup>5</sup>.

## Demoralization of a juvenile

Demoralization is one of the key notion of the Juvenile Act. However, it is not defined there. The term demoralization is used in several situations: outlining the purpose of regulation, specifying the scope of the treatment of juveniles<sup>6</sup>, indicating when the proceedings could be initiated<sup>7</sup>, listing the circumstances of demoralization and using specific examples of behavior the legislator seeks to facilitate

<sup>1</sup> B. Urban, *Zachowania dewiacyjne młodzieży*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków 1997, p. 52.

<sup>2</sup> Law of 23.04.1964 The Civil Code, “Journal of Laws” 1964 No. 16, item 93, as further amended.

<sup>3</sup> Article 115 of the Law of 06.06.1997, The Penal Code, “Journal of Laws” 1997, No. 88, item 553, as further amended.

<sup>4</sup> Ibidem, Article 1.3.

<sup>5</sup> Law of 26.10.1982 on treatment of juveniles, Article 1.1.1-3, “Journal of Laws” 1982 No. 35, item 228.

<sup>6</sup> Ibidem.

<sup>7</sup> Ibidem, Article 2.

interpretation of this notion<sup>8</sup>. when deciding in the course of proceedings – the degree of demoralization should be the measure<sup>9</sup>.

Although there is no precise and unambiguous definition of “demoralization of a juvenile” in the Juvenile Act, Article 4 imposes on the population the obligation to respond to the demoralization of juveniles. This reaction should take form of notifying the parents or legal guardians of the juvenile and informing the school, the family court and police, or another competent authority.

According to A. Nowak, demoralization is a state of personality characterized by a negative attitude towards social expectations, in accordance with the social relations of a juvenile<sup>10</sup>.

Article 4.1 of the Juvenile Act gives example catalog of circumstances and behaviors of demoralisation of juvenile. These are: truancy, neglect of school education, escape from home, vagrancy, use of alcohol or other drugs, taking part in criminal gangs, breaking the principles of community life and committing criminal deeds. In the commentaries to the Juvenile Act, it is commonly understood that the demoralization of juveniles means a situation characterized by negative attitudes and behavior of a juvenile towards norms in the society as well as generally accepted principles of conduct<sup>11</sup>.

Demoralization, which is not accompanied by criminal deeds but is characterized by behaviors contrary to other than legal, social norms, is called moral derailment. G. Harasimiak points out that different definitions of demoralization are focused on the internal state, which manifests itself in a specific – external behavior. On the other hand, in the case of demoralizing circumstances, the emphasis is put at objective facts that may be based on the attitudes and internal structure of the person<sup>12</sup>.

## Forms of juvenile delinquency

Two approaches to juvenile delinquency can be distinguished – broad and narrow. According to the broad approach juvenile delinquency includes all deeds committed by juveniles, not only those that violate certain norms of criminal law but also show signs of social maladjustment. On the other hand, a narrow understanding of crime defines only acts committed by juveniles violating provisions

<sup>8</sup> Ibidem, Article 4.1.

<sup>9</sup> G. Harasimiak, *Demoralizacja jako podstawowe pojęcie postępowania z nieletnimi*, Wydawnictwo Uniwersytet Szczeciński, Szczecin 2001, p. 278.

<sup>10</sup> A. Nowak, *Zapobieganie demoralizacji i przestępczości nieletnich w świetle regulacji prawnych*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków 2000, p. 22.

<sup>11</sup> K. Grześkowiak, A. Krukowski, W. Patulski, E. Warzocha, *Ustawa o postępowaniu w sprawach nieletnich. Komentarz*, Wydawnictwo Prawnicze, Warszawa 1991, p. 16.

<sup>12</sup> G. Harasimiak, *Demoralizacja jako...*, op. cit., p. 279–283.

of criminal law<sup>13</sup>. Another point of view is legal understanding, ie. the situation specified in the law.

In the Psychological Dictionary, the notion of social maladjustment is broadly presented as “the inability to adapt one’s actions to one’s own position, role, statute in social groups, maladjustment to norms and attitudes accepted by these groups”<sup>14</sup>, and narrowly as “situation of an individual who does not accept and does not implement standards, attitudes and socially desirable roles”<sup>15</sup>.

However, as O. Lipkowski points out, social maladjustment is not always linked with conflict with the environment. It is common that a person comes from a demoralized community and such behavior is accepted in this environment. On the other hand, an individual adapted to a normal environment is not adapted to a demoralized environment. According to O. Lipkowski, “socially maladjusted is an individual who, due to character disorders caused by unfavorable external or internal developmental conditions, has increased difficulty in adapting to widely accepted social norms and in fulfilling his or her life tasks”<sup>16</sup>.

## Types of correctional centers

Youth correctional centers, as well as youth sociotherapy centers, operate on the basis of the Article 2.5 of the Act of 7 September 1991 on the Education System<sup>17</sup>. The provisions of the Article 5.5a state that districts are responsible for the establishment and supervision of youth correctional centers and youth sociotherapy centers. It is possible to set up a non-public institutions.

Statute and tasks of these institutions are defined by two regulations: the regulation of the Minister of National Education of 12 May 2011 on the types of, and the detailed operational arrangements for, public institutions, the conditions to be provided for children and young people attending them, the level of fees and rules for charging fees from parents<sup>18</sup>, the regulation of the Minister of National Education and Sport of 7 March 2005 on the framework statutes of public institutions<sup>19</sup>.

Youth correctional center is dedicated to juveniles who are socially maladjusted and require the use of a special organization of learning, working methods as well

<sup>13</sup> G. Grabarczyk, *Odpowiedzialność nieletnich w Polskim prawie karnym*, „Studia z Zakresu Nauk Prawnoustrojowych” 2008, No. 1, p. 81.

<sup>14</sup> W. Szewczuk, *Słownik psychologiczny*, Wydawnictwo Wiedza Powszechna, Warszawa 1998, p. 165.

<sup>15</sup> Ibidem.

<sup>16</sup> O. Lipkowski, *Wychowanie dzieci społecznie niedostosowanych*, PZWS, Warszawa 1966, p. 2.

<sup>17</sup> Law of 07.09.1991 on the Education System, “Journal of Laws” 2004, No. 256, item 2572.

<sup>18</sup> Regulation of the Minister of National Education of 12 May 2011 on the types of, and the detailed operational arrangements for, public institutions, the conditions to be provided for children and young people attending them, the level of fees and rules for charging fees from parents, “Journal of Laws” No. 109, item 631.

<sup>19</sup> Regulation of the Minister of National Education and Sport of 7 March 2005 on the framework statutes of public institutions, “Journal of Laws” No. 52, item 466.

as education and social reintegration. Juveniles with mild mental disabilities may also be charges of these institutions, and they are subjected to revalidation at the center.

The symptoms of demoralization of juveniles are: breaking the principles of community life, committing criminal deeds, systematic neglect of school education or vocational training, use of alcohol or other drugs, prostitution, vagrancy, taking part in criminal gangs. Juveniles may be placed in the youth correctional center without their guilt, for example in the case of negligence, low educational competence of parents and family dysfunction (alcohol or psychoactive addiction, unlawfulness, violence, psychiatric disorders, serious and inherited health problems, material deprivation)<sup>20</sup>.

The decision to put a juvenile in the youth correctional center is taken by the Department for Resocialization and Sociotherapy of the Centre for Education Development. The child is placed in the center on the basis of the regulation of the Minister of National Education of 27 December 2011 on the detailed rules for the placing, admission, transfer, dismissal and residence of juveniles in a youth correctional centers<sup>21</sup>.

The most important criteria for choosing a center for a juvenile are: location in the vicinity of juvenile's place of residence, education in the appropriate type of school. However, there are cases when a juvenile is placed in a center far from home. This involves the choice of the appropriate school, in case of lack of the offer in the closer center, and the intervention mode<sup>22</sup>.

The main tasks of the youth correctional center are: elimination of the causes and symptoms of social maladjustment, preparation of charges to live in accordance with common social and legal norms. These tasks are accomplished through: resocialization and therapeutic activities, care, learning and development of artistic potential, solving and learning to cope with emotional problems, improving social adaptation, shaping self-reliance, preparation for work and living in society, organization and provision of psychological and pedagogical assistance. Each charge of a center who has a special educational needs has an individual educational and therapeutic program<sup>23</sup>.

On 1 January 2012, new solutions for the operation of youth correctional centers and youth sociotherapy centers began to apply. By the end of 2011, juveniles could be put in a center on the basis of a court corrective order, ie. putting

<sup>20</sup> T. Kaniowska, *Funkcjonowanie młodzieżowych ośrodków wychowawczych i młodzieżowych ośrodków socjoterapii w systemie oświaty*, „Trendy” 2015, No. 4, p. 13–16.

<sup>21</sup> Regulation of the Minister of National Education of 27 December 2011 on the detailed rules for the placing, admission, transfer, dismissal and residence of juveniles in a youth correctional centers, „Journal of Laws” No. 296, item 1755.

<sup>22</sup> T. Kaniowska, *Analiza zasadności umieszczania nieletnich w MOW i MOS*, Wydawnictwo ORE, Warszawa 2013, p. 3.

<sup>23</sup> T. Kaniowska, *Funkcjonowanie młodzieżowych ...*, op. cit., p. 14.



a juvenile in a center. In the case of youth sociotherapy centers, there was also a possibility of putting a child in the center on the basis of a decision on the need for special education, which is issued by a psychological and pedagogical clinic at the request of parents. That possibility still exists. What has changed in the regulations is that it is not possible to open a youth sociotherapy center unless there is at least one of the following type of school: primary or lower secondary school or upper secondary school<sup>24</sup>. Paragraph 19.3 specifies that a youth sociopathy center which does not provide full time care may operate in justified cases. Moreover, it is not possible any more to run in public schools special branches for socially maladjusted juveniles or being at the risk of social maladjustment<sup>25</sup>.

The provisions after their amendment concerning fugitives from the correctional institution allow to put them temporarily in a correctional intervention center or in the Juvenile Police Unit. In addition, fugitives from youth correctional centers, youth detention centers and youth shelters may be kept in the Juvenile Police Unit temporarily<sup>26</sup>.

As a result of the described changes, as of 1 January 2012, youth sociotherapy centers are no longer subject to the National Preventive Mechanism. These tasks were delegated to the Ombudsman. Therefore it was necessary to provide him with information on any emergency situations that took place in educational institutions where juveniles were placed, in accordance with a court order. Also, since 2009 the youth correctional center is obligated to report monthly on emergency cases to the Ombudsman.

These reports refer to the following cases: the death of a juvenile or another person, serious injury caused by a charge, employee or other person, individual or group protest, a suicide of a charge, serious disturbance, sexual abuse, bullying, beating with effect of physical injury, group or individual escapes, use of coercive measures against a juvenile<sup>27</sup>.

## Types of youth detention centers

The primary goal of the youth detention center is resocialization of juveniles. It involves changing the attitude of a juvenile to socially acceptable one. This

<sup>24</sup> Regulation of the Minister of National Education of 12 May 2011 on the types of, and the detailed operational arrangements for, public institutions, the conditions to be provided for children and young people attending them, the level of fees and rules for charging fees from parents, "Journal of Laws" No. 109, item 631.

<sup>25</sup> Regulation of the Minister of National Education of 17 November 2010 on the conditions for providing training, education and care for children and youth with disabilities and socially maladjusted in special kindergartens, schools, classes and centres, "Journal of Laws" No. 228, item 1489.

<sup>26</sup> Law of 26.10.1982 on treatment of juveniles, "Journal of Laws" 1982 No. 35, item 228.

<sup>27</sup> T. Kaniowska, *Analiza zasadności umieszczania...*, op. cit., p. 9–11.

direction ensures proper development of personality, shapes positive interests and builds socially accepted respect for recognized norms of social coexistence.

The following types of youth detention centers can be distinguished: resocialization, including open, semi-open and closed (with increased supervision); resocialization and revalidation for people with intellectual disabilities; resocialization and therapeutic for alcohol addicts, drug users, HIV carriers, persons with mental disorders due to organic damage to the central nervous system and mild intellectual disability<sup>28</sup>.

## Conditional suspension of placing a juvenile in a youth detention center

The current Juvenile Act, in line with the Penal Code of 1932, allows for a conditional suspension of placing a juvenile in a youth detention center, although it regulates differently the grounds for its application, including the prerequisite of the subject character<sup>29</sup>.

Conditional suspension of placing a juvenile in a youth detention center a probationary measure that enables implementation of the thesis that a juvenile should be placed in a detention center as a measure of a last resort when other methods of correction are insufficient<sup>30</sup>. It is noted that the application of this institution is justified by the particularly detrimental nature of placing in a detention center. Moreover, it prevent a juvenile against contact with the group of most demoralized peers, if there is a perspective that a sole detention order will lead to a favorable change in a juvenile's behavior<sup>31</sup>.

The author considers that leaving a juvenile in a natural environment with the conditional suspension of placing a juvenile in a youth detention center for a probation period is desirable from a pedagogical point of view. This is the expression of the subjective treatment of a juvenile who is allow to make a decision: a juvenile may take „responsibility” for his or her own actions and will actively cooperate in the correctional process in order to make a positive change in his or her personality and behavior. By this token he or she could avoid the discomfort of placing in a youth detention center. If a juvenile does not want or is not able to do so, the

<sup>28</sup> V. Konarska-Wrzošek, *Prawny System postępowania z nieletnimi w Polsce*, Wydawnictwo LEX, Warszawa 2013, p. 104.

<sup>29</sup> Z. Sienkiewicz, *System sądowych środków wobec nieletnich w prawie polskim*, Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław 1989, p. 159–160.

<sup>30</sup> A. Grześkowiak, *Postępowanie w sprawach nieletnich w Polsce w świetle Reguł Minimalnych ONZ dotyczących wymiaru sprawiedliwości względem nieletnich*, [w:] B. Kowalska-Ehrlich, S. Walczak (ed.), *Prawne i pedagogiczne aspekty resocjalizacji nieletnich*, Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław 1992, p. 71.

<sup>31</sup> Z. Sienkiewicz, *System sądowych środków...*, op. cit., p. 160.

court will apply a severe but indispensable measure for obtaining a resocialization effect and place a juvenile in a youth detention center<sup>32</sup>.

Assessment of environmental conditions in which a juvenile is raised has a great importance. These conditions, as positive, favorable for the return of a juvenile to normal life, support the relative suspension of placing a juvenile in a detention center, while an environment that has or may have a demoralizing effect on a juvenile will induce the ruling of this measure in its absolute form<sup>33</sup>.

It is desirable for the court to always make use of the possibility of conditional suspension of placing a juvenile in a youth detention center if there is a chance that the correctional goals would be achieved without placing a juvenile in a detention center. However, it must be remembered that such rulings must be based on both subjective and objective considerations<sup>34</sup>.

In a judgment adjudicating a relative suspension of placing a juvenile in a detention center, the court determines a probation period of not less than one year and no more than three years. During the probation period the court applies to a juvenile correctional measures. These measures may be combined and altered<sup>35</sup>. At the same time, the court may also apply to a juvenile medical remedies. If the probation period and as well as further 3 months successfully expire the judgment to place in a detention center is considered as null and void. Juvenile data is removed from the National Criminal Register<sup>36</sup>.

Until the amendment to the Juvenile Act of 15 September 2000 only the optional cancellation of the conditional suspension of placing a juvenile in a youth detention center was allowed. After amendment the Juvenile Act also provides for situations in which the cancellation of the relative suspension of placing a juvenile in a youth detention center is mandatory.

The Article 11.3 provides that the court may revoke the relative suspension and order placing a juvenile in a youth detention center if demoralization of a juvenile makes worse during the probation period. It is indicated that demoralized behavior should intensify. According to the literal reading of the provision, if the symptoms of deprivation are kept at one level conditional suspension can not be cancelled<sup>37</sup>.

It is claimed in the literature that the cancellation of the conditional suspension of placing a juvenile in a youth detention center is possible only after the

<sup>32</sup> E. Bieńkowska, A. Walczak-Żochowska, *Postępowanie w sprawach nieletnich. Komentarz*, Wydawnictwo C.H. Beck, Warszawa 2003, p. 97–98.

<sup>33</sup> Ibidem, p. 99.

<sup>34</sup> A. Gaberle, M. Korcyl-Wolska, *Komentarz do ustawy o postępowaniu w sprawach nieletnich*, Wydawnictwo ARCHE, Gdańsk 2002, p. 82.

<sup>35</sup> T. Bojarski, E. Skrętowicz, *Ustawa o postępowaniu w sprawach nieletnich z komentarzem*, Wydawnictwo KUL, Lublin 2002, p. 48.

<sup>36</sup> E. Bieńkowska, A. Walczak-Żochowska, *Postępowanie w sprawach...*, op. cit., p. 101.

<sup>37</sup> Ibidem, p. 100.

investigation and gathering evidences of the offense committed by a juvenile during the probation period. These evidences must make sure that a juvenile is a culprit. The mere suspicion, as insufficient, does not justify the revocation of the conditional suspension of the correctional measure<sup>38</sup>. It is noted that the mandatory cancellation of conditional suspension due to stiffness of regulation adversely differs from the assumptions of the Juvenile Act. Criticism must be careful and balanced, however, since it must be taken into account that this solution was dictated by the need to respond to the most dangerous juvenile offenses.

Conditional suspension can only be canceled due to circumstances that occurred during the probation period. The cancellation may be ordered not later than 3 months after the probation period expires. After that, the judgment to place a child in a youth detention center is expunged by law. Consequently, if the offense committed during the probation period is disclosed later, a new investigation should be initiated<sup>39</sup>.

The family court consisting of a single judge decides to cancel a conditional suspension of its own motion or at the request. If necessary, the court should hear the child together with parents and carers. An order to cancel a conditional suspension of placing a juvenile in a detention center is subject to a complaint<sup>40</sup>.

## Conclusions

It is undisputed that the counteracting of juvenile delinquency is one of the important tasks of social policy of the state, the education and correctional system, the institutions and social organizations, the judiciary and families. It is also commonly believed that prevention is a more effective means of eliminating these phenomena than resocialization when social maladjustment is already deeply advanced. Thus, the shift of the focus from resocialization to preventive measures is enhanced by the intensification of correction and care, provision of social assistance to children and their parents, and giving up repressive measures towards juvenile delinquents for therapeutic and correctional influences.

Probably the role of correctional centers is of a special nature, for the sake of a person to whom the correctional activities are addressed, as well as the value around which they are focussed, ie. the well-being of a juvenile.

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<sup>38</sup> Ibidem, p. 84.

<sup>39</sup> A. Gaberle, M. Korcyl-Wolska, *Komentarz do ustawy...*, op. cit., p. 84.

<sup>40</sup> Law of 26.10.1982 on treatment of juveniles, "Journal of Laws" 1982, No. 35, item 228.

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## **Использование транспортных бирж в деятельность польских предприятий из сектора TSL**

### **Using of a freight exchanges in the activities of polish enterprises from TSL sector**

#### **Резюме**

В статье поднимается проблематика использования транспортных бирж польскими предприятиями. В свете быстрого развития общества, клиенты требуют все лучшего качества услуг и товаров при постоянно конкурентных ценах. Такой ритм требует от предприятий все новых и новых решений, которые бы позволили удовлетворять запросы рынка. Одним из таких решений является транспортная биржа.

На примере польских предприятий, автор исследовал предприятия использующие транспортные биржи, а также их влияние на отрасль и экономику.

#### **Summary**

The article raises the problems of using traffic exchanges by the Polish enterprises. In case of a rapid development of society, the clients are demanding better quality goods and services at consistently competitive prices. This rhythm demands from the enterprises new solutions, which would allow to meet the market demands. One of these solutions is the freight exchanges.

On the example of Polish enterprises, author researched companies that are using freight exchanges, as well as their impact on the industry and the economy.

**Ключевые слова:** транспортные биржи, TSL, логистика.

**Keywords:** freight exchange, TSL, logistic.



## Введение

Сегодня мы живем во времена, в которых клиент определяет стандарты обслуживания. Во времени информационного общества растет сознание, а также запросы, касающиеся доступности продуктов. Существенную роль в их удовлетворении играет транспорт. Необходимым становится удовлетворение высоких запросов клиента при непрерывном поиске способов рационализации текущих средств. Решением кажутся интернет транспортные биржи, которыми пользуется все больше фирм из отрасли TSL. Для производственных или дистрибуционных предприятий, особенно существенна, редукция логистических средств, а в частности средств транспорта. С этой целью необходим анализ и изменение способа реализации транспортных процессов, а также открытость на новые концепции управления логистикой в фирме, содействующие эффективности этих процессов.

Значение исправной организации логистических процессов подтверждают опытные работы, касающиеся анализа средств в разных моделях сети дистрибуции. Они показывают, что необыкновенно существенно значение средств транспортных процессов организации, которые представляют, неоднократно, свыше половины полных логистических средств.

Транспортные биржи дают возможности координации и консолидации поручений, а тем же оптимизации и калькуляции средств транспорта, vyplывающих из эффекта масштаба, который достигается. Лучше использованное грузовое пространство транспортных средств, и также уменьшенное количество пустых поездок, это также значительное ограничение потребления топлива и значительное ограничение эмиссии выхлопов в атмосферу. Транспортные биржи перестают исполнять роль простых инструментов, помогающих поиску грузов, становятся функциональными пакетами программного обеспечения, которые реализовывают важные задания для работников транспорта. Все чаще это именно они решают о возможности эффективного получения грузов и транспортных средств. Их действие вписывается в модные теперь основания бизнеса – пользования активами только тогда, когда они нужны или функционирование прежде всего опираясь на знания. При выборе транспортной биржи, появляются вопросы о желательной сфере функциональности и это не всегда зависит от специфики осуществляемой хозяйственной деятельности.

Транспортная биржа возникла как инструмент, использующий достижения техники. Ничего удивительного, что вместе с появлением новых возможностей, операторы бирж вводят новые функции главным образом для потребностей заинтересованных.

Целью статьи является представление результатов исследования предприятий из сектора TSL использующих интернет транспортные биржи в ведении своей деятельности.

## Опытная методология

Учитывая очень широкое опытное пространство – территория целой Польши, были проведены углубленные интервью (IDI) в избранных предприятиях. Целью разговора было получение как можно большего количества ключевой информации от респондентов на тему проблематики интернет транспортных бирж в их деятельности. Углубленные интервью были проведены среди руководителей исследуемых единиц, а также экспертов, соединяющих теоретические знания с практикой. Таким образом, диагностированными были ключевые информационные запасы в пространстве осуществляемого исследования.

Реализация исследования требовала конструкции опытного инструмента – анкетного вопросника. Сопоставленные в вопросниках вопросы были подчинены проблемам vyplывающим из реализации принятой опытной цели. Анкетный вопросник заключал 18 вопросов, разделенных на шесть тематических блоков касающихся:

- характеристики исследуемого предприятия,
- сферы и способа использования транспортных бирж,
- оценки влияния транспортных бирж на сектор TSL и экономику,
- идентификации барьеров в доступе, а также тенденций развивающих транспортные биржи.

Проведенное исследование происходило в 2015 году. Автор для исследования предприятий использовал адресную базу данных Центрального Учета и Информации о Хозяйственной Деятельности.

## 1. Характеристика предприятий, которые пользуются транспортными биржами

Исследованию было подвергнуто 110 предприятий из сектора TSL, случайно избранных из 16 воеводств Польши. Свыше половины из них (52%) трудоустраивала до 9 работников, 35% трудоустраивало от 10 до 49 работников, 11% из них трудоустраивало от 50 до 249 работников, другие предприятия трудоустраивали 250 и больше работников.

При общей тенденции связанной с уменьшением средств, видима закономерность, что малые и средние транспортные предприятия в совершенстве умеют использовать конъюнктуру на международных рынках транспорта вещей и, как главный источник трудоустройства,

используют предложения транспортной биржи. Ведя дешевую перевозочную деятельность, способны при низкой марже, достигать устойчивого развития. Большие перевозочные фирмы настроены на непосредственный контакт с клиентом, владеют высокоразвитым маркетингом и рекламой. Предложениями транспортных бирж (низкие фрахты) пользуются редко, главным образом в случае обратных грузов.

Большинство предприятий, которые исследовались, на интернет транспортных биржах вели деятельность от 3 до 9 лет (42%), около 11% предприятий действовало на рынке меньше чем 3 года, от 10 до 15 лет деятельность вело около 26% предприятий, другие предприятия вели деятельность дольше, чем 16 лет (21%).

Этот результат исследования свидетельствует о том, что предприятия, которые пользуются предложениями, размещенными на интернет транспортных биржах, это фирмы укрепленные многолетним стажем и с постоянными договорами. Это также доказательство доверия заказчиков к предприятиям, оказывающим услуги TSL. Относительно низкий процент (10,9%) предприятий, которые пользуются биржей, ведут хозяйственную деятельность недавно (до 2 лет), это может vyplывать из организационных положений. Некоторые биржи требуют определенного стажа от предприятий.

Результаты исследования показывают, что выступают большие барьеры входа на рынок услуг TSL. Особенно они чувствительны для новых фирм. Наибольший, это доверие к постоянным, проверенным и, прежде всего, опытным фирмам предоставляющим услуги.

Главным профилем деятельности предприятий, которые пользуются возможностями транспортных бирж, является транспорт и экспедиция. Экспедицией и транспортом занималось 34% предприятий, 24% из них занимались транспортом, экспедицией и логистикой, 20% – занималось исключительно транспортом, 16% – исключительно экспедицией, другие предприятия занимались транспортом и логистикой (3%), исключительно логистикой (3%), а также экспедицией и логистикой (2%).

Малый процент фирм, которые занимаются логистикой, свидетельствует, что они не тесно связаны с транспортом и экспедицией или продукцией и дистрибуцией в более широком значении, но пробуют в собственной сфере искать транспортные варианты.

Как выявило исследование, много пользователей интернет транспортных бирж против доступа логистических и производственных фирм к платформам обмена свободными грузами и грузовыми пространствами. Свое отвращение к таким пользователям толкуют нехваткой опыта в транспортной отрасли, утверждая, что ищут транспортного варианта в собственной сфере только с целью уменьшения средств предприятия,

обходя при этом услуги экспедитора. Неоднократно такие действия ведут к появлению ошибок в поручениях. Очевидным поводом недовольства является также меньшее количество поручений для экспедиционных фирм.

Среди действующих фирм, которые анкетировались, на транспортных биржах частное предпринимательство вело 45%, около 29% предприятий это общества с о. о., 12% предприятий это гражданские союзы, 9% – полное товарищество. Опытную группу дополняли акционерные общества (3%), коммандитные (2%), а также физические лица (0,9%).

Результат исследования доказывает, что в ситуации конкурентной борьбы, производители ищут более дешевых вариантов транспорта своих изделий и с этой целью ищут внешние фирмы. На интернет транспортных биржах, размещение предложения осуществляется немедленно и в относительно коротком времени можно найти дешевого перевозчика. Это, прежде всего малые, часто единоличные предприятия, которые даже при низком фрахте умеют зарабатывать. Большие фирмы с высокой себестоимостью не выдерживают конкуренции при уменьшающейся цене перевозки.

Исследование использования транспортных бирж предприятиями сектора TSL касалось предприятий, имеющих свое отделение в Польше, однако в подавляющем большинстве это предприятия, которые имеют международную сферу деятельности (87%), 10% предприятий имело межконтинентальную дальность, и только государственную 3%.

Это исследование подтверждает роль, которую польские перевозчики играют в международных перевозках. Малые предприятия чаще всего семейные, такие, которые ведут дешевую транспортную деятельность, умеют действовать необыкновенно эластично, приспосабливаясь к рыночным запросам. Географическое положение, а прежде всего возможность доступа к биржевым международным и государственным предложениям грузоперевозки во всех странах Европейского союза, позволило польским перевозчикам быстро овладеть международным рынком автомобильных перевозок.

Транспортные биржи предлагают своим пользователям обслуживание всех доступных веток транспорта. Результаты исследования подтвердили общемировую тенденцию. Самой популярной формой продвижения грузов является автотранспорт, используемый 81% пользователей бирж. Представители морского транспорта представляют 9,5%. Обе эти формы перевозок наиболее популярны на свете в товарном транспорте и часто сотрудничают между собой.

Морской транспорт чаще всего используется к продвижению больших грузовых единиц, учитывая низкие единичные средства. В ситуации когда цена перевозки является элементом большого участия в цене продукта, существенным становится поиск как можно более дешевого перевозчика.

Использование морского транспорта, главным образом на так называемых морских автобанах или в паромном судоходстве, дает такую возможность, тем более если к перевозке используется не одно средство транспорта (интермодальный транспорт).

Перевозчики других веток транспорта, согласно общемировому тренду – уже в решительность меньшей доли – пользуются предложениями интернет транспортных бирж.

## 2. Анализ деятельности предприятий TSL на транспортных биржах

Предприятия, которые пользуются услугами интернет транспортных бирж, кроме отличий в юридической форме или в величине предприятия, генерируют похожие транспортные потребности, а их способ и сфера деятельности на биржах приближены.

Результат исследования времени использования транспортных бирж предприятиями можно сопоставить с оценкой времени ведения деятельности исследуемыми предприятиями – свыше 41% для периода 3 до 9 лет – что означает, что подавляющее большинство входящих на рынок TSL фирм, в коротком времени признали транспортные биржи хорошим путем к получению поручений и сотрудничества длящегося до нынешнего момента.

Большинство предприятий пользовалось от 1 до 3 транспортными биржами (93%), другие предприятия пользовались от 4 до 6 биржами (7%).

Констатирована существенная связь между количеством трудоустраиваемых работников, временем пользования биржами, и количеством используемых предприятием бирж. Предприятия, трудоустраивающие больше работников, также которые дольше пользуются биржами, использовали большее их количество. Не констатирована статистически существенная связь между периодом ведения деятельности, и количеством используемых бирж.

Предприятия государственной и международной сферы деятельности пользовались преимущественно от одной до трех бирж, только 4% предприятий международной сферы пользовалось большим количеством бирж. В случае предприятий межконтинентальной сферы, также большинство из них пользовалось от 1 до 3 бирж (64%), но большой процент пользовался также большим количеством бирж.

Только государственными биржами пользовались преимущественно предприятия трудоустраивающие до 9 работников (83% предприятий, которые пользуются, государственными биржами), только зарубежными биржами пользовались предприятия трудоустраивающие от 10 до 49

работников (75%). Зато одинаково государственными биржами, как и из зарубежными, пользовались предприятия с малым количеством работников (52%), как и большие предприятия 48%.

Только государственными биржами пользовались преимущественно предприятия, которые ведут деятельность до двух лет (42%) предприятий, которые пользуются государственными биржами) или от 3 до 9 лет (42%). Только зарубежными биржами пользовались преимущественно предприятия со стажем на рынке от 3 до 9 лет (56%). Зато обоими видами бирж пользовались преимущественно предприятия, которые ведут деятельность дольше, чем 10 лет (56%).

Большинство предприятий не планировало увеличить количество установленных бирж и считало, что их число оптимально (80%), увеличить число бирж хотело 16% предприятий, зато отказаться от одной или большего количества бирж хотело около 5% предприятий.

Большинство предприятий с государственной сферой, хотело увеличить число бирж (67% из них), зато предприятия с международной и межконтинентальной сферой считали, что число бирж оптимально (соответственно 81% и 91% из них).

Около 33% предприятий, которые пользуются транспортными биржами ожидало от них навязывания постоянного контакта с заказчиками с ЕС, около 28% из них хотело ограничения ненужных простоев, 27% – нахождения поворотных грузов, а 12% увеличения престижа и признания предприятия среди пользователей.

Предприятия трудоустраивающие до 9 работников, от бирж ожидали, прежде всего, навязывания постоянного контакта с заказчиками с ЕС (40%), реже увеличения престижа и признания предприятия среди пользователей (21%) и нахождения поворотных грузов (26%). Предприятия трудоустраивающие от 10 до 49 работников ожидали, прежде всего, ограничения ненужных простоев (40%) и навязывания постоянного контакта с заказчиками с ЕС (32%). Большие предприятия ожидали, прежде всего, ограничения ненужных простоев (75%). Отличия между группами были существенны статистически.

Все предприятия, которые пользуются, услугами транспортной биржи дополнительно пользовались функцией взыскания долгов (получение надлежащей суммы при услуге). Теперь подавляющее большинство бирж автоматически блокируют доступ недобросовестным фирмам. Вне взыскания, пользователи часто пользуются функцией напоминания о терминах платежа (так называемые вызовы к плате), а также через биржу пробуют рекламировать свои услуги.

### 3. Оценка влияния транспортных бирж на сектор TSL и экономику

В деятельности предприятий сектора TSL интернет транспортные биржи играют существенную роль. Более ранние результаты доказали, что функционирование бирж не ограничивается всего лишь к основной деятельности, такой как поиск грузов или транспортных средств. Биржи неоднократно помогают предпринимателям в маркетинге, рекламе или добывании новых рынков, а также передают программы, позволяющие запланировать каждую трассу в мельчайших подробностях. Каждый пользователь может также обстоятельно узнать своего будущего контрагента.

Большинство анкетированных считало, что биржи имеют большое, но не стратегическое влияние на предприятие (46%), около 29% лиц считало, что имеют очень большое влияние, а 11% респондентов считало, что деятельность фирмы зависима от бирж. Противоположного мнения было 14%, при этом 3% лиц считало, что биржи являются одним из менее важных факторов, а 11% лиц считало их только за дополнительный элемент, облегчающий деятельность.

Большинство респондентов считали, что транспортные биржи имеют большое (18%), и даже очень большое влияние (58%) на формирование отрасли транспорта, экспедиции, логистики. Около 17% анкетированных, считало, что влияние бирж среднее, а 6% лиц считало, что это влияние мало.

Констатирована статистически существенная связь между количеством трудоустроенных в предприятии работников, и мнением анкетированных на тему влияния на формирование отрасли TSL. Чем большее предприятие, тем чаще анкетированные считали, что влияние бирж менее значимо.

Около 45% анкетированных считало, что транспортные биржи своей деятельностью могут в очень большой (4%) и большой (42%) степени формировать государственную экономику. Противоположного мнения были остальные респонденты, они считали, что биржи в малой степени (34%) или совсем (21%) не влияют на состояние экономики.

Услуги, которые предлагаются биржей, удовлетворяли фирмы, прежде всего в хорошей степени (60%), очень довольных было около 11% предприятий, остальные респонденты были довольны в средней (26%) и достаточной (3%) степени.

В рамках исследования было так же установлено, что предложениями биржи Trans, пользовалась наибольшая группа польских предприятий из сектора TSL (42%), 29% исследуемых пользовалось предложениями биржи TimoCom, 19% это пользователи биржи Tele Route, и 10% является клиентами биржи WTransNet. Не без значения также факт, что на участие в сотрудничестве с отдельными биржами влияют размеры оплат. Оплаты



за пользование предложениями биржи „Trans” не принадлежат к высоким. Следует, однако, помнить, что исследуемые предприятия в целом пользуются несколькими транспортными биржами.

Большое влияние на эти отношения имеют направления транспорта товаров. Имеет это значение в случае определения страны экспортера и импортера.

Согласно отношениям направлений товаров, которые перевозятся, видим поиск поручений перевозок, которые не только выходят из Польши и направлены к нашей стране, но решительно преобладают отношения между прочими странами Европейского союза.

Исследование направления, в которых чаще всего высылаются грузы, обслуживаемые польскими перевозчиками показало, что государственные внутренние грузы это почти 7,5%. Другие направления это международные перевозки в отношениях между разными странами Евросоюза. Можно сказать, что таким образом реализовывается не только политика нивелировки пустых возвратных поездок, но и международные перевозки были освоены польскими перевозчиками. Каботажные перевозки (осуществляемые между городами одного государства) представляют решительное меньшинство. Выплывает это из затруднений которые вводят отдельные страны Европейского союза, защищая свои внутренние рынки.

## Выводы

Исследование выявило, что во время динамического развития интернет сети, транспортные биржи представляют чудесный инструмент к быстрому развитию молодой фирмы, а также стабилизации позиции дольше действующих предприятий.

Теперь каждая фирма, которая работает на международном рынке, пользуется предложениями транспортных бирж. Все фирмы, которые анкетировались, этот факт подтвердили, что свидетельствует об очень большом влиянии транспортных бирж на развитие сектора TSL.

Большинство исследуемых предприятий пользуются предложениями интернет транспортных бирж свыше трех лет, что свидетельствует об укрепленной многолетним стажем позиции и постоянных поручениях. Это также доказательство доверия заказчиков к предпринимателям, оказывающим услуги TSL.

Польские перевозчики считаются тщательными партнерами, и применяемые ими доступные цены влекут, что зарубежные заказчики все чаще пользуются их услугами.

Пользование транспортной биржей не только означает бережливость времени, но также делает возможным прибытие к значительно более



широкой группе фирм – потенциальных кандидатов к сотрудничеству. Опубликованные на транспортной бирже предложения это гарантия быстрого, а также легкого решения проблем, связанных с организацией транспорта.

Транспортная биржа является всесторонним инструментом, облегчающим экспедиционные и логистические действия. Благодаря использованию ее функций, можно в прямой и быстрый способ усовершенствовать действия транспортной или экспедиционной фирмы в то же время уменьшая транзакционные средства.

## Библиография

Директива Совета ЕХС 881/92/EWG со дня 26.03.1993 года по делу доступа к рынку дорожного транспорта товаров в Сообществе, для фрахта „с” или „к” одному из членских государств или через одно из членских государств.

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Закон о дорожном транспорте с дня 6.09.2001 года.

Распоряжение Совета ЕХС 3118/93 со дня 25.10.1993 года устанавливающие условия выполнения в членском государстве услуг внутреннего дорожного транспорта вещей перевозчиками, не имеющим своего отдела в этом государстве.

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## **Формирование спроса в бизнес-среде на инновационные образовательные продукты в информационной экономике**

### **Forming of the demand in the business environment on innovative educational foods in the information economy**

#### **Резюме**

В статье дается определение «индикативный контроль», «показатель», описывается принцип отбора показателей, учитывая порядок оценки эффективности управления потребительским спросом на основе показателей, примеры показателей, которые генерируют спрос за услуги дополнительного образования, представили отношения между учебными заведениями и рынком труда, указали на недостаточность информационной и статистической базы рынка дополнительного образования.

#### **Summary**

The article gives the definition of “indicative of control”, “indicator”, describes the principle of selection of indicators, given the order of evaluation of the effectiveness of the management of consumer demand on the basis of indicators, examples of indicators that generate demand for the services of additional education, presented the relationship between educational institutions and the labour market, indicated the insufficiency of the informational and statistical basis of the market of additional education.

**Ключевые слова:** индикатор, индикативное управление, потребительский спрос, дополнительное профессиональное образование, дополнительное образование, рынок труда.

**Keywords:** indicator, indicative management, consumer demand, supplementary professional education, additional education, the labour market.

## Введение

В связи с переходом к рыночным отношениям и сменой модели развития в нашей стране проблемы реформации систем управления носят особо острый характер<sup>1</sup>.

Эффективное управление спросом может стать одним из основных и приоритетных способов достижения конкурентоспособности современных организаций. Все большую актуальность решение данной проблемы приобретает в сфере образования, в том числе и дополнительного образования.

Стимулирование потребительского спроса, а также влияние различных факторов на данный процесс активно обсуждается с разных точек зрения в трудах отечественных ученых Л. И. Абалкина, Г. Л. Багиева, О. Т. Богомолова, С. Ю. Глазьева, В. Г. Гребенникова, В. Ф. Егорова, Н. Д. Ильенковой, С. В. Кузнецова, Д. С. Львова, И. И. Столярова, Г. В. Черновой, Е. Г. Ясина.

В средствах массовой информации можно найти огромное количество информации, касающейся темы управления спросом с точки зрения маркетинга. Предлагаются различные семинары по внедрению моделей повышения спроса путем применения скидок, активной рекламы, новой упаковки, опроса покупателей для выявления их предпочтений и т.п.

Что же касается индикативного управления потребительским спросом, то данная тема мало исследуема и только в работе В. Н. Лиховидова «Фундаментальный анализ мировых валютных рынков: методы прогнозирования и принятия решений, 1999 г.» дается информация о индикаторах потребительского спроса в таких отраслях как жилищное строительство и розничная торговля<sup>2</sup>.

Итак, что же такое «индикатор» и «индикативное управление».

Индикатор представляет собой качественно-количественную характеристику исследуемого процесса или явления, отражающую его изменение в динамике или отклонение от нормативного значения. Качественная сторона индикатора отражает сущность последствий, вызванных различными явлениями или процессами в определенный период времени, количественная – приращение численного значения индикатора, произошедшее в течение исследуемого промежутка времени вследствие изменения различных процессов или явлений, определяющих характер поведения спроса. Индикатор в системе индикативного управления имеет существенные отличия от вектора и показателя. Так, вектор определяет

<sup>1</sup> Гергова З. Х. Индикативное управление социально-экономической системой региона// Вопросы экономики и права. 2010. №29. С. 90–93.

<sup>2</sup> Лиховидов В. Н. Фундаментальный анализ мировых валютных рынков: методы прогнозирования и принятия решений. – г. Владивосток – 1999 г. – 234 с.

направление развития различных социально-экономических процессов или явлений, а показатель – это величина, позволяющая судить о текущем состоянии изучаемого процесса или явления<sup>3</sup>.

Термин “индикативный” является фактически антонимом термина “директивный” и означает косвенные, а не прямые методы управления<sup>4</sup>.

При выборе индикаторов следует придерживаться следующих принципов<sup>5</sup>:

- используемая переменная должна отражать цель, которой служит индикатор;
- переменная должна иметь четкое определение;
- значения переменной должны быть надежными;
- измерение значений должно быть определено с достаточной четкостью;
- измерение значений не должно составлять слишком большую трудность, т.е. стоимость получения информации с требуемой регулярностью не должна превышать пользу от применения индикатора;
- значения должны быть действительны в течение разумного периода времени.

Индикативное управление в общем виде рассматривается как метод регулирования экономики, в основе которого находится совокупность выработанных в результате прогнозирования взаимоувязанных и сбалансированных целей управления, критериев оценки эффективности управления, механизмов взаимодействия с другими методами регулирования: маркетингом, мониторингом, концепцией экономического роста и др.

Индикативное управление – это управление, в основе которого лежит исследование значений индикаторов.

Нами разработан порядок проведения оценки эффективности управления потребительским спросом, который состоит из пяти этапов.

I этап. Обоснование состава показателей. На данном этапе необходимо учитывать ряд требований:

- система показателей должна охватывать элементы рынка;
- система показателей может дополняться;
- число показателей должно быть ограничено;
- показатели должны быть сопоставимы;

<sup>3</sup> Сибирская Е. М. Методика оценки управления предприятиями на основе системы индикаторов// Вестник Томского государственного университета. Экономика. 2011. №3. С. 62–74

<sup>4</sup> Гергова З. Х. Индикативное управление социально-экономической системой региона// Вопросы экономики и права. 2010. №29. С. 90–93

<sup>5</sup> Никулина И. Е., Хоменко И. В. Оценка эффективности программы социально-экономического развития региона // Региональная экономика: теория и практика. 2010. № 8 (143). С. 2–14

- информационная база для проведения оценки эффективности управления должна быть доступна.

II этап. Выбор показателей, которые должны отражать различные элементы. Нами приведен пример по двум составляющим: внутренние индикаторы и внешние индикаторы (см. рисунок).

Индикаторы, представленные на рисунке, являются взаимосвязанной системой, которая, по нашему мнению, позволит оценить эффективность управления потребительским спросом.

III этап. Расчет индексов внешних и внутренних индикаторов (соответственно I внеш., I внут.) методом ранжирования.

IV этап. Формирование интегрального показателя. Интегральный индекс эффективности управления потребительским спросом рассчитывается по следующей формуле:

$$I_{\text{эф.спр.}} = I_{\text{внеш.}} \cdot I_{\text{внут.}}$$

Данный индекс может находиться в пределах от нуля до единицы.

V этап. Интерпретация интегрального показателя. В данной методике мы предлагаем три уровня эффективности управления потребительским спросом.

Границы интервала индекса	Степень эффективности управления потребительским спросом
$0,9 \leq I_{\text{эф.спр.}} < 1$	Абсолютно эффективное
$0,3 \leq I_{\text{эф.спр.}} < 0,9$	Эффективное
$0 < I_{\text{эф.спр.}} < 0,3$	Неэффективное (критическое)

Выбор конкретных индикаторов эффективного управления потребительского спроса должна производить группа экспертов, имеющих опыт и знания в различных областях науки. В качестве критерия эффективности управления можно использовать наиболее значимые для конкретного предприятия. Результативность применения того или иного метода расчетов индикаторов в значительной степени определяется общественными и политическими целями конкретного предприятия (или иного объекта).

Отдельное внимание хотим уделить формированию спроса на рынке дополнительного профессионального образования (ДПО).

В соответствии с ст. 76 Федерального закона «Об образовании РФ» дополнительное профессиональное образование направлено на удовлетворение образовательных и профессиональных потребностей, профессиональное развитие человека, обеспечение соответствия его квалификации меняющимся условиям профессиональной деятельности и социальной среды.

Происходящие в России радикальные социально-экономические преобразования, предопределили изменение теоретических и практических подходов к системе ДПО, а в частности формирования спроса и предложения на рынке ДПО.

Выделяем индикаторы, влияющие на спрос ДПО:

1. неценовые
2. ценовые

Спрос на рынке ДПО более подвержен социально-психологическому воздействию неценовых индикаторов. В связи с этим ценовые индикаторы целенаправленно указаны вторым номером. Мы считаем, что зависимость – чем ниже цена, тем больше спрос – не всегда будет проявляться, так как потребители будут уменьшать другие расходы, но более дорогую образовательную услугу будут оплачивать, для получения более качественного образования. Низкая цена может вызвать у потребителя подозрение на низкое качество образования, что приводит к «запиранию спроса».

К неценовым индикаторам можно отнести:

1. Социально-демографические. Наличие в регионе наиболее восприимчивого к ДПО населения, образование (важной особенностью спроса на ДПО является то, что для того, что бы предъявить такой спрос, нужно иметь не только желание учиться, но и необходимую подготовку), возраст, социальный статус.
2. Экономические. Уровень дохода (при большем доходе потребители образовательной услуги могут расходовать больше денег на покупку образовательной услуги). Востребованность специалистов с ДПО на региональном рынке.
3. Психологические. Общественное мнение о престижности и выгоды профессий.

В общем случае поведение «будущих потребителей» образовательных услуг можно смоделировать и представить следующими стадиями:

1. осознание потребности в получении дополнительного образования;
2. поиск образовательных учреждений и анализ рынка из внешних источников;
3. выбор наилучшего варианта. Выбор может быть основан на следующих факторах:
  - месторасположение;
  - преподавательский состав;
  - технология обучения
  - материально-техническая база;
  - стоимость;

- выпускники образовательного учреждения;
  - имидж образовательного учреждения.
4. поступление, обучение и оценка качества образовательного процесса.
  5. оценка эффективности обучения и применение знаний, умений и владений к практической деятельности пользователя дополнительного образования.

Необходимо отметить, что массовые предложения различных образовательных услуг (мастер-классы, бизнес-семинары, курсы и т.п.), стремящиеся захватить как можно большую аудиторию и заработать на своих услугах, ведут к снижению качества образования. Поэтому, еще раз подчеркиваем, что такой индикатор как «цена» не является основным и единственным при выборе учреждения для прохождения дополнительного обучения.

Следует акцентировать внимание на том, что на этапе перехода к информационному обществу, характеризующемуся быстрой сменой технологических новаций и высокими темпами получения новых знаний, все большую актуальность приобретает решение проблемы формирования спроса потребителей на принципиально новые программы дополнительного образования, адекватные новейшим достижениям научно-технического прогресса. К большому сожалению, пока в подавляющем большинстве программы дополнительного образования на рынке образовательных услуг далеко не отвечают предъявляемым требованиям. Об этом свидетельствует, в частности, опыт продвижения на рынок образовательных услуг инновационных образовательных программ в сфере менеджмента<sup>6</sup>.

При оценивании и управлении спросом на дополнительные образовательные услуги не стоит забывать о таких клиентах как сам работодатель. Поскольку большое число крупных производственных, торговых и других видов деятельности организаций заинтересованы в постоянном повышении квалификации своих сотрудников. Особенно, на наш взгляд, это относится к группе управленческих специальностей. Стремительно меняются законы, вносятся изменения в различные формы взаимодействий между организациями, ответственность и обязанность в деятельности компаний разных организационно-правовых форм, в налоговые, бухгалтерские и другие законопроекты РФ. Активно развивающимся организациям необходим управленческий персонал,

<sup>6</sup> Степанов А. А., Савина М. В., Степанов И. А. Становление парадигмы креативно-авторизованного образования управленческих кадров в инновационной экономике / Сборник научных работ студентов, аспирантов и профессорско-преподавательского состава «АКТУАЛЬНЫЕ ПРОБЛЕМЫ УЧЕТА, АНАЛИЗА И АУДИТА В СОЦИАЛЬНОЙ СФЕРЕ». – Изд-во: Общество с ограниченной ответственностью "Научный консультант", 2016.- С. 360–367.

способный быстро реагировать на изменения внешней среды, предлагать новые, нестандартные решения, генерировать оригинальные идеи и предложения, разрабатывать уникальные стратегии.

Именно поэтому работодатели наряду с отдельными физическими лицами являются клиентами образовательных услуг.

Схематично взаимосвязь между образовательными учреждениями и рынком труда можно представить следующим образом:

1. Учебное заведение готовит специалистов под конкретные требования работодателя.
2. Отдельный работодатель отправляет своих сотрудников для повышения квалификации.
3. Учебное заведение готовит специалистов по различным направлениям.
4. Потребитель желает приобрести дополнительные знания, навыки и умения.
5. Работодатель отбирает подготовленного специалиста на рынке труда посредством проведения собеседования. Выставляет свои требования к кандидату касательно уровня образования.
6. Обученный специалист устраивается на работу в организацию.

Вышеуказанные индикаторы, влияющие на спрос образовательных услуг, не являются единственными. Список может быть пополнен в зависимости от вида самой услуги дополнительного образования, а также от целей, преследуемых учреждениями и организациями в ходе проведения индикативного управления спросом на дополнительное образование.

В любом случае, несмотря на специфичность услуги (не является приоритетной и жизненно необходимой), спрос на дополнительное образование является, как и любой спрос, управляемым. Необходимо знать и применять необходимые индикаторы для принятия решения в области дополнительного образования. Проблема, которая в настоящее время имеет место быть, это слабое информационно-статистическое обеспечение. Только с августа 2016 г. утвержден статистический инструментарий для организации Минобрнауки России федерального статистического наблюдения за деятельностью организаций, осуществляющих образовательную деятельность по дополнительным профессиональным программам (форма №1-ПК) и организаций, осуществляющих образовательную деятельность по основным программам профессионального обучения (форма №ПО). И то, на наш, взгляд, данные формы не охватывают многие показатели (индикаторы), позволяющие принимать решения в области ДПО. Что же касается иного дополнительного образования в виде мастер-классов, различных курсов и семинаров, то, к сожалению, единой базы для анализа и прогнозирования спроса в настоящий момент нет. Что в значительной



мере затрудняет «правильному» развитию такого направления как дополнительное образование в РФ.

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## **Вопросы теории управления инновационным развитием**

## **Questions of the theory of management of innovative development**

### **Резюме**

В статье раскрываются актуальные вопросы теории и методов управления инновационным развитием на этапе реализации стратегии развития информационного общества.

### **Summary**

The article reveals the topical issues of the theory and methods of managing innovative development at the stage of implementing the strategy for the development of the information society.

**Ключевые слова:** инновационное развитие, эффективность инновационного менеджмента, инновационная стратегия, инновационный процесс, творческое инновационное решение.

**Keywords:** innovative development, efficiency of innovation management, innovation strategy, innovative process, creative innovative solution.

## Введение

Динамичное и эффективное движение российского общества по пути социально-экономического прогресса неразрывно связано с активизацией инновационного развития всех отраслей и сфер народного хозяйства страны. Особую актуальность эта проблема приобретает в условиях информационного общества.

Об актуальности решения данной проблемы свидетельствует и подписанный Президентом Российской Федерации Указ №203 от 09 мая 2017 г. «О Стратегии развития информационного общества в Российской Федерации на 2017-2030 годы»<sup>1</sup>.

Вместе с тем до настоящего времени многие вопросы теории и практики инноватизации экономики Российской Федерации применительно к специфике развития информационного общества не нашли должной научной проработки.

В этой статье предпринята попытка раскрыть содержание ряда теоретических терминов концепции управления инновационным развитием на этапе перехода от индустриальной экономики к информационной.

В результате проведенных научно-методологических семинаров был уточнен ряд положений и дефиниций, связанных с теорией, методологией и практикой исследования проблем инновационного развития в Российской Федерации.

Одним из неразработанных вопросов теории инновационного развития явилось отсутствие четкого определения ключевого понятия – «инновационное развитие». Очевидно, что без уточнения содержания базового определения дальнейшее согласованное решение научно-практической проблемы инноватизации российского общества становится невозможным.

Обобщение научных взглядов различных авторов на исследуемую проблему в стране и за рубежом, а также наши собственные исследования позволили предложить следующее определение понятия «инновационное развитие». Под инновационным развитием мы понимаем процесс целенаправленных, закономерных и необратимых изменений в уровне развития производительных сил и социально-экономических отношений, основанных на внедрении в общественное производство не имевших ранее аналогов, качественно новых технологий, техники, продуктов, соответствующих достижениям передовой науки и практики, результатом

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<sup>1</sup> Указ №203 от 09 мая 2017 г. «О Стратегии развития информационного общества в Российской Федерации на 2017-2030 годы». <http://www.garant.ru/hotlaw/federal/1110145>. Дата обращения 3.07.2017.

чего должен являться экономический рост, повышение уровня и качества жизни.

Главная цель инновационного развития – создание системы условий, предпосылок и факторов, способствующих повышению уровня активизации социально-экономического развития общества по пути прогресса на основе полномасштабного внедрения инноваций.

Другим ключевым термином в понятийном аппарате исследования проблемы управления инновационным развитием является дефиниция «инновационный процесс».

Инновационный процесс – это процесс, в результате которого зарождаются и внедряются в общественное производство инновации. Он охватывает все стадии цикла инновационных разработок, начиная от создания идеи и заканчивая внедрением в реальное производство. Такой процесс включает в себя этапы инновационного цикла от генерирования идеи до реального внедрения инноваций в общественное производство. Здесь этапами являются: разработка, внедрение, продвижение на рынок и конечное потребление инноваций.

Принципиальными моментами эффективного развития инновационного процесса является его целенаправленность и постоянная активизация в целях изыскания возможностей использования новейших достижений отечественной и зарубежной науки и практики. Другими словами, эффективность инновационного процесса напрямую зависит от управляющей системы.

Инновационный процесс следует рассматривать как управляемый экономический процесс.

Эффективное управление инновационной деятельностью должно осуществляться на основе научно обоснованных систем управления инновационной деятельностью, как на предприятиях, в регионах, отраслях, так и стране, в целом. Такие системы должны представлять собой научно обоснованные комплексы взаимосвязанных и сбалансированных мер – организационных, экономических, социальных, технических, технологических, экологических и др., направленных на решение главной проблемы выведения общественного производства на рубежи передовых достижений научно-технического прогресса. Эта деятельность должна быть направлена на эффективное продвижение на рынок инноваций соответствующих требованиям информационного общества<sup>2</sup>.

Управление процессом инновационного развития должно осуществляться с учетом новейших достижений управленческой науки и, в частности,

<sup>2</sup> Савина М. В., Степанов А. А. Управление инновационной деятельностью как фактор устойчивого развития предприятием // Вестник Московской государственной академии делового администрирования, №6(6). Серия «Экономика», 2010.

использованиям креативных методов принятия управленческих решений<sup>3</sup> по следующим этапам:

- I. Анализ и оценка сложившегося процесса инновационного развития;
- II. Обоснование целей инновационного развития в прогнозном периоде;
- III. Разработка стратегий инновационного развития;
- IV. Обоснование и выбор альтернативных путей осуществления стратегий инновационного развития;
- V. Реализация системы практических мероприятий по освоению инноваций в общественное производство;
- VI. Оценка эффективности разработки и внедрения мероприятий;
- VII. Стратегирование, предполагающее соответствующую корректировку мероприятий по достижению целей инновационного развития.

Разработка и внедрение в инновационную деятельность систем управления инновационными процессами должны осуществляться в соответствии с такими принципами, как:

- принцип целеполагания;
- принцип системного подхода;
- принцип учета природно-экономических и социально-экономических условий инновационного развития;
- принцип учета и оптимального сочетания производственных потребностей и потенциальных инновационных возможностей, способных обеспечить эффективное, динамичное, устойчивое развитие;
- принцип учета социальных интересов и ценностей в процессе инновационного развития;
- принцип комплексной оценки эффективности инновационного развития в соответствии с критериями функциональной, синергетической, экономической, социальной, экологической, информационно-инновационной эффективности, а также рейтинговую оценку объектов инноватизации по результатам инновационной деятельности и ресурсам инноваций.

Управление инновационным развитием в стране в соответствии с Указом Президента Российской Федерации «О Стратегии развития информационного общества в Российской Федерации на 2017–2030 годы» должно осуществляться по следующим этапам:

<sup>3</sup> Степанов А. А., Савина М. В., Степанов И. А. Моделирование инновационных управленческих решений в креативном менеджменте/В сборнике: «Анализ общественных явлений в 2015 г. Построение прогнозов». Сборник материалов международной научно-практической конференции.- М: Издательство: Общество с ограниченной ответственностью „Научный консультант“, 2016.- С. 93–97.

I этап (2017–2020 гг.) – осуществление системы мероприятий по прекращению нарастающих негативных и кризисных явлений в процессе инновационной деятельности;

II этап (2021–2025 гг.) – формирование инновационных систем и кластерных комплексов; завершение формирования инфраструктуры и организационно-экономических механизмов продвижения стратегий инновационного развития в общественное производство;

III этап (2026–2030 гг.) – реализация системы мероприятий по управлению развитием инновационного процесса; разработка и освоение пилотных инновационных проектов; активизация системного инновационного процесса на всех иерархических уровнях: предприятие, муниципальное образование, регион, отрасль, народное хозяйство страны в целом.

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## **Agrarian transformation in Poland. Post-accession experience under EU conditions**

### **Аграрное преобразование в Польше. Опыт пост вступления при условиях ЕС**

#### **Summary**

The purpose of this research was, first, to define the change of rural areas after the collapse of centrally planned economy and its adjustment to the market economy, next to study the preparation to accession and finally to estimate the impact of accession to EU on the shape of the rural sector. Material is taken from the selected areas in Eastern Poland. Recent observation prove that total area of small farms decreased but after 2004 it was stopped due to the payments from the Common Agricultural Policy. Instead of losing the land due to concentration processes small farms keep it either for own use (subsistence) or they rent the land to big holders for the return of land tax plus direct payments from EU

**Keywords:** agriculture-transformation-micro study-Eastern Poland-Common Agricultural Policy.

#### **Резюме**

Целью этого исследования было, во-первых, определить изменение сельских районов после краха централизованной плановой экономики и ее адаптации к рыночной экономике, а затем изучить подготовку к присоединению и, наконец, оценить влияние присоединения к ЕС на формы сельского сектора. Материал берется из выбранных районов Восточной Польши. Недавнее наблюдение доказывает, что общая площадь мелких ферм уменьшилась, но после 2004 года она была прекращена из-за платежей из Общей сельскохозяйственной политики.

**Ключевые слова:** преобразование сельского хозяйства, восточная Польша микро исследование, Общая Сельскохозяйственная Политика.



## Introduction

The paper presents the results of field studies carried out in villages of Drełow district in Lublin Voivodeship (Eastern Poland) since 1992. This is clearly isolated area far from municipalities and major roads. The research shows the changes in agriculture in the first years after the political turn of 1989, next in pre-accession period and finally after the accession of Poland to the EU.

The first stage of research (1992) was based on interviews conducted in approximately 200 farms, representing nearly 25% of the total households in the selected villages. In addition, the statistical data was used in cross-section of villages, coming from census in 1988 and 1990 (5% random sample).

The second stage (1997), five years after the previous one, was to reveal the farm adaptation to the requirements of a market economy, taking into account the coming perspective for accession to the European Union. This section was limited to the sample representing 10% of the original sample and the material was supplemented by interviews with the heads of the villages. Statistical data were obtained from the census in 1994.

Third stage (2010–2012, supplemented in 2016) aimed at defining the situation after more ten years of our membership in the European Union. Visits to the farms were supplemented by interviews with the heads of villages as well as with selected farmers, while the auxiliary material was derived from the District Statistical Office as well as from General Agricultural Census in 2002 and 2010 (provisional).

## Discussion of the results

### 1. Demography and labor resources

In 1990, the number of inhabitants of the municipalities of Drełow amounted to 5800, which made it a population density of 26.2 persons per sq km. Population growth was low, at just 0.34%, which should have led to the growing-old society. At the beginning of the 1990s the age pyramid was developed correctly, as the young or relatively young farmers represented a large proportion of the population. 37% of the farmers concerned in 1992 was in the age group 20–40 years old, and 30% in the range 40–50 years, the oldest group, above the 70 represented 17% of the sample, but in this case, every second farmer had a successor at the age of at least 30 years.

At the end of the 90s and in the beginning of XXI century some demographic changes can be seen, since rate of population growth fell to a negative value. As a result, there was a decrease in the number of inhabitants from 5800 to 5572 in 2004 due to emigration. The latest data coming from the district from June 2009, shows that the number of inhabitants is now, however, greater than at the last census, and increased to 5696 people.

Interviews of 1992 showed an unexpectedly high level of education of farmers. Half of the sample was represented by the farmers with the secondary education or professional secondary agricultural education, mainly the young people of the age group 20–30 and 30–40 years. Meanwhile, the agricultural census 2002 indicates a surprising change of human capital in the past decade. At total 1132 holdings in the district, only 54 farmers graduated from the secondary schools (plus 14 university graduates). You can specify three possible reasons for that huge drop in the number and share of educated farmers. The first is the effect of winding-up of vocational education in Poland. The second is the migration to the cities in search of better paid jobs. Finally, the third reason, which cannot be excluded, is known well in social studies, when interviewed persons want to improve their social status and give false answers. Anyway, basing on the Census of 2002, 53% of farmers in the District had no any agricultural education, 41% had elementary education or completed the agricultural course, and only 6% were graduated from secondary or higher schools – these number show that the situation is improper.

However, we are currently witnessing a very profound transformation of the rural environment. First of all, as in September 2010, the interviewed farmers claimed “youth looks for work everywhere, may not only in agriculture”. Youth seeks employment mostly in large cities, because in nearby townships the possibilities of finding work are limited. Some go abroad for three-four or more months in a year. Secondly, it should be pointed out, that there is a very strong pressure on the acquisition of education. Local education ends at primary or secondary level, Youth continues education in larger centers, also in Lublin, the province capital, where a number of universities exist. Figures are not known, but the phenomenon to continue education at university level is increasing.

## 2. Agrarian structure

Comparison of long-term data on agrarian structure on the basis of the censuses of the end of the 1980s and 2002 shows a slow concentration of land in larger farms. Even the average area of the farm has not changed so much, oscillating between 8-9 ha, one may notice a gradual disappearance of marginal and small farms of area less than 1 ha. In 2002, in Drelow district these farms operated on 66 ha only and were practically like plots with an average surface area 30 ars (0.3 ha). In principle, they should not be called farms, although their owners depended more on part-time work outside farm than on agriculture. Adding the farms with an area of 1–5 ha, it appears that both groups constituted 36% of all farms in the district. In 2002 they operated only on 7.6% of the agricultural area, while still in 1988 this indicator was close to 20%. Poverty concerns this group to much extent. This is why the target of current local strategy is to alleviate poverty basing on multifunctional rural development. As *Local development strategy for the period 2008–2015* (Office of district Drelow, 2008) says, the main source

of living of the population comes from non-salaries sources (44% of all households), of which 18% lived on retirement fund. In 2006, the level of the average income in the district amounted to 72% of the average income at country level.

The second group of interest, after small farms, consists of farms with a relatively large area, in Polish conditions. These are the farms between 10–20 ha (an average of 14.2 hectares) and 20–50 ha (an average of 27.5 ha), together constituting 37% of all farms. They possess 71% of the total agricultural area, while in 1988 it was 48%. Thus the concentration of land visibly accelerated in the period preceding the accession to the European Union. Unfortunately, land fragmentation makes their situation worse than it comes from the censuses. Current status is in this respect similar to the conditions for agriculture in less developed countries. The typical farm operating on 10, 20 or more hectares consists of often even more than 10 plots, distant from each other even a dozen or so kilometers! This is why the real costs of production and land maintenance are high.

This is what says the official statistical data. The actual and current status of the agrarian structure is slightly different and generally more positive. The flow of the land to stronger farms, on the basis of changes of legal owner, is very limited and probably will remain low as long as the present system of agricultural subsidies from the EU exists (to every hectare, no matter the size and current status of the farm). However, as interviews conducted in 2010 reveal, a significant proportion of the land owned by small farms, is utilized on the basis of a lease by large farms. Leasing of land is therefore complimentary process to land concentration. This is why the actual average size of large farms is in fact bigger than official data says. Big farmers pay land tax of rented area (about 20 euro per hectare) while – paradoxically – official owners (small farmers) get EU payments (even 220 euro per hectare). As a result of a tenancy, although none of the farms in the district exceeds 50 ha, in fact, some farms operate on bigger area.

### 3. Land use and the structure of production

Land use reveals less changes comparing to agricultural structure. The area of orchards and plantations slightly increased and percentage of arable land augmented from 49.8% in early 90s to 54.7% in 2002. The latter, however, includes fallows. Small farms operate mostly on arable lands while large farms possess meadows, as well.

Already before the accession to EU local agricultural production changed to much extent. Specially cattle number declined by 30% while the decrease of a number of dairy cows and pigs was slight. In 2002, nearly 40% of all farms had no any livestock. The drop of livestock was mainly visible in small farms.

Interviews carried out in 2010 confirms the trend in the concentration of livestock production in large farms. Dairy cows are now bred almost exclusively in large farms (a number of 80 to 100 cows per farm). The same concerns pig-

sties, which are now led only by big farms. In some villages there are also a poultry farms. So, the process of concentration of production and increasing scale of production was visibly initiated and is on the right road also in poorer regions of Poland.

The orientation of production on livestock affects the structure of plant production since own forage and cereal concentrates are necessary. This is why cereal mixtures (wheat-rye-barley) are now the common crops including *triticale* (specie of wheat crossed with rye), which shows growing popularity.

The second crop are potatoes, grown mainly for feeding pigs. Industrial plants disappeared (oilseed rape and sugar beet). In recent years, however, the cultivation of organic "ecologic" willow expands due to UE program of alternative energy sources.

Clearly improved the yields of cereals. In the early 90s an average yield of cereals amounted to 18–23 q/ha, in 2009 (good weather conditions) 28–30 q/ha, while 34 q/ha only for wheat and triticale. The best farms produced more than 50 q/ha.

#### 4. The functioning of local economy under UE conditions

The main challenges for structural policy for agriculture in the investigated area concern two issues: the creation of conditions for the development of agriculture at sufficiently large scale and to find out suitable alternatives for the small farms, which in the longer term will cease the activity.

One of the objectives of the strategy for the district is to change the agrarian structure. The experience of many countries, as well as Poland, reveal that administrative pressure to change agrarian structure is ineffective. It takes years, costs a lot while the farmers oppose, and the final result is negligible. Better results in this respect is the concentration of land, which results from the market pressure. It already has occurred in the district, though it currently faces a serious obstacle due to the impact of EU direct payments. As long as the payment will be applied irrespective of the area of the farm and no matter an actual professional status of the legal owner, small holdings will keep the land, and the rotation of the land will be limited mainly to lease. In this situation direct payments, rather than become the instrument supporting development, act as a supplement to consumption. Worse, if in a larger scale it is applied also in case of fallow land.

In 2011 the EU direct payment per hectare in the district was as follows:

- the general payment to cereals, potatoes etc cultivations (170 US\$ per ha)
- payment due to inconvenient natural conditions (60 US\$ per hectare; practically every farm);
- supplementary payment to cereals (120 US\$ per hectare; every farm);
- supplementary payments to animal production (170 US\$ per ha of meadow).

In addition, there is a payment to grow organic willow as the source of eco-energy, which for now is cultivated in small-scale.

As a result the small farm of, for example, 2 ha, growing on one hectare wheat and keeping the next one as the meadow, received total about 600 US\$ (1 hectare of cereals: 170+60+120; 1 hectare of meadow: 170+60; total = 580 US\$). If it leaves this area into a lease, it saves additionally around 70 US\$ due to land tax that is paid by the farm which rents the land. In this situation it is difficult to expect that there is the chance to change agrarian structure effectively.

The program for small farms includes multifunctional rural development schemes. Creating local enterprises specialized in various services (agrotourism) or in processing is obviously a very valuable initiative and makes the chance for small farms. EU programs offer many possibilities, including training and financial support. There are also various programs to introduce intensive agriculture at small scale, in some selected profiles (breeding some animal races, production of specific seeds, herbs production etc.). The problem is only few farmers from the small scale sector are able to start the new challenge. Many others live for a long time on social assistance plus in recent years – as already mentioned – on EU direct payments, and if they cultivate some land, they do it only due to own consumption.

The final conclusion concerning the desired changes is to some extent pessimistic. In current shape European funds do not support the flow of land from weaker to bigger farms. Surely developments towards a modern and competitive agricultural economy will continue, but it'd be more self-development which may achieve expected results in a course of long period.

## Conclusions

Research carried out in the selected district in Eastern Poland reveals a complex picture of the transformation of the agricultural and rural environment in recent years.

In terms of the spatial organization of agriculture one may observe a slow concentration of land in larger farms. Unless the average area of the holding is not changed much, oscillating between 9–10 ha, however, one may notice a gradual disappearance of the smallest farms. Supplement trends is the leasing of agricultural land. Participation of a large farm in land use, and not in the ownership, is bigger than the official data from the censuses show.

In large farms, there is a concentration of livestock production. Dairy cows are now bred almost exclusively in large holdings. It is likewise in case of swine breeding. The orientation of the production on livestock affects the structure of agricultural production, since large farms specialize in cereals and in the cultivation of potatoes for the purposes of animal nutrition. Industrial plants cultivation, like sugar beet, diminished.

Current direct payments to agriculture from European funds (per hectare of the farm, regardless of size) does not assist the structural transformation


of agriculture in accordance with the provisions, since part of it becomes in reality the social security fund, and does not support production. It is highly likely that, in view of the 2013–2020 prospects of EU budget the system of direct payments will be changed and adapted to the actual professional status of the land holders.

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