

## The abstract

Pyokend

for yonako

The subject of the work is a synthesis of the provisions, doctrine views and case law views concerning the legal regulations contained in the Act – Construction Law, as well as in the Act – Code of Administrative Procedure, relating to the procedure of jurisdictional administrative proceedings, which is one of the means of carrying out by the construction supervision authorities - construction supervision. An analysis of the conduct of jurisdictional proceedings and tacit handling of the case by the construction authorities indicates the specificity of those proceedings due to the different substantive rules of construction law. The procedural regulations contained in the Act – Construction Law are the manifestation of decoding of the Code of Administrative Procedure. The rules used in these proceedings contained in the Construction Law are adapted to the specificities and nature of the cases, in particular the tort ones decided by the construction supervision authorities. They play an auxiliary role in relation to substantive norms, primarily to speed up administrative proceedings and to professionalize them.

The construction law contains procedural standards describing in details the course of individual administrative jurisdiction proceedings before construction supervision authorities. The course of these proceedings consists of specific to construction law substantive, procedural and evidential provisions 'dealing with the merit of the case'. Dealing with the cases related to committing administrative torts proceeds in several stages, divided either by administrative orders or administrative decisions. Some jurisdictional proceedings may come to an end with lack of administrative decision. Proceedings in tort cases before construction supervision authorities do not have to end with imposition of sanctions, but may result in the legalisation of unlawful building work or unlawful utility work.

The construction law contains also special provisions on the tacit handling of the case – the institution introduced in the Code of Administrative Procedure. These provisions concern, for example, certificates of tacit handling of the case, time limit for raising an objection, material deficiencies and formal notification. It is also debatable, in the light of the current case-law of the administrative courts, to apply Article 122 g of the Code of Administrative Procedure in cases tacitly concluded under the construction law since the verification of such completed proceedings takes place under another procedure provided for the construction law i.e. Article 51 (b).

The work assessed changes in construction law introduced by the Act of 13.02.2020 amendment of the Construction Law Act and some other acts. The impact of the case-law of the administrative courts on those amendments has been pointed out. The need for further amendments to this Construction Law Act has been considered and proposed.

**Keywords: construction law, code of administrative procedure, jurisdictional administrative proceedings, construction supervision, tacit handling of the case, decoding, procedural regulations**

Pyokend  
for yonako