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**SUMMARY OF DOCTORAL DISSERTATION**

**Administrative and legal issues related to the maintenance and use of building structures.**

The cognitive perspective of the work entitled „Administrative and legal issues related to the maintenance and use of building structures” concerned the systematization and supplementation of knowledge in the field of the use and maintenance of building structures. The solutions adopted by the legislator in chapters 5b and 6 of c.l. have become the background to consider whether at the stage of commencing the use of a building structure and its subsequent maintenance, the legislator uses instruments that are actually the least burdensome for the investor, owner (building structure manager), and while ensuring an adequate level of protection of the public interest and the interest of third parties.

The research included issues related to the freedom of use of a building. This determined the subject and area of research as well as the research theses.

The dissertation consists of an introduction, five chapters and an ending.

The introduction specifies the subject of research, the research problem and theses, as well as the methods of scientific analysis.

The first chapter, starting with discussion on the issues of the use and maintenance of building structures in historical terms, is devoted to explaining terminological issues and presenting these issues in terms of the subjective and subject aspect. The principles specific for the stage before commencing the use of building structures and their maintenance, reflecting the values preferred by the legislator, were also analysed.

Second chapter, the concept of public interest is reconstructed in the context of highly valued values that justify the restriction of the freedom of use of a building structure. Then, the instruments with which the legislator protects the public interest at the stage of commencement of use and during its maintenance are presented.

Chapter three has become a place for analysing the issues of protection of individual interest in proceedings related to the commencement of use of building structures and their maintenance. Particular emphasis was placed on the aspect of protection of the interests of third parties and their participation in the abovementioned proceedings. The subject of the considerations were also specific procedural solutions and their impact on the protection of



individual interests. The issue of replacing administrative measures to protect individual interests with civil law measures was also discussed.

The fourth chapter is devoted to the issue of the relationship between the public interest and individual interest. From this perspective, the issue of the depth of the legislator's interference with the freedom to use building structures was highlighted. In this aspect, the analysis covered the principle of proportionality, which is a key instrument allowing for a proper „balancing” of interests in various configurations by the legislator and the authorities applying the law.

The last chapter describes the characteristics of special events that may take place during the maintenance of building structures, including the emphasis on the issues of construction disasters. At the end the instruments used to eliminate or at least significantly reduce the occurrence of special events are discussed.

At the end, the analysed content is summarized in the context of the accepted theses and areas where further explorations on the topic in question could be focused are indicated. The result of the research was also the formulation of *de lege ferenda* postulates in order to indicate possible directions of changes in the law.

**Keywords:** maintenance of building structure, use of building structure, freedom of use of building structure.

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