

Sports scholarships – in relation to the act on sport and judicial practice

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Abstract

This article characterizes the model of sports scholarships regulated in the Polish law by the act on sport. The term ‘sports scholarship’ and the form of establishing such scholarships have also been explained. Moreover, attention has been drawn to problems of interpretation concerning this matter, which are connected with the correct use of provisions of the law and rich judicial practise of administrative courts. As a conclusion, amounts devoted to finance sports scholarships have been analysed on the basis of the selected resolutions of local government units.

Keywords: sports, scholarship, judicial practice, act on sport

1. Introductory notes

The number of people doing various sports has been increasing every year [1]. It seems that this tendency will be constant due to the so-called “trend of doing sports and being active” [2]. A basic motivation for doing sports revolves mostly around two aspects, health and hobby. The latter can in turn develop into the spirit of competition and the desire to get the best sports results. Therefore, it is important to bear in mind that provisions of the law, pursuant to the act on sport [3], create opportunities for financing periodic sports scholarships for natural persons in return for their sports results. At this point, it is important to point out that sports scholarships were introduced as early as in 1981 [4]. According to the doctrine, the aim of such scholarships was to “organize rules connected with rewarding athletes due to their fictional employment in workplaces” [5]. It means that as early as at the stage of introducing this institution to the legal order, people were already aware of its importance. Over the next

several years, the discussed matter has evolved and due to the nature of this paper the author shall focus solely on currently applicable provisions of the law, without its historical background [6], that is the years 1981-2010.

2. The term ‘sports scholarship’

The definition of sport is a starting point for the considerations presented above. According to art. 2 of section 1 of the act on sport, sport includes all forms of physical activity, which have an impact on training or improvement of physical and mental fitness by opportunistic or organized participation as well as the development of social relations or the achievement of any sports results at all levels. The definition is required because public authorities, including local government units, may choose to support physical culture by financing period sports scholarships.

In general terms, sports scholarships should be understood as financial aid for people doing sports. Amounts and durations of such a benefit differ from one area to another. The doctrine leaves no doubt that entities doing sports include both professional athletes and amateurs [7]. Because of a unique nature of a sports scholarship, contracts [8] and administrative decisions [9] are the basis for granting it. A contract is the basis for concluding club scholarships (art. 5, the act on sport), which can be characterized by the commitment of a sports club to pay a scholarship in the amount specified in the contract. On the other hand, in this case an athlete undertakes to do his or her best to maintain his or her physical condition and further improve it [10]. In this context, it is important to mention the court judgment of 6th April 2017 of the Supreme Administrative Court in Rzeszów [11], which states, „the Commune Council cannot grant club scholarships because this possibility is expressly forbidden for sports clubs pursuant to art. 5 of the act on sport. As a matter of fact this is the limitation of the right to scholarship for individuals who represent sports clubs”. At the same time, the Court points out that, „The Commune Council cannot narrow down the statutory list of entities entitled to sports scholarships only to individuals training at sports clubs”. According to the court judgment of 13th January 2017 of the Supreme Administrative Court in Wrocław [12], „the sole criteria for establishing rules of granting scholarships are – the significance of the given sport to the given local government unit and the achieved sports result”.

On the other hand, we also have to remember that the case pertaining to granting or not granting sports scholarships to natural persons for the achieved sports results is an individual administrative case, as stated in the provision of an ordinance issued on the basis of a detailed approval contained in art. 31 section 3 of the act of sport, regardless of the formal name of the ordinance [13]. Therefore, the case should be settled by means of an administrative decision [14].

3. Model of a sports scholarship

The working model of granting sports scholarships is based on the above-mentioned act on sport. According to art. 27 section 1 of this act, one of the local government units’ tasks is to create conditions, including organizational ones, that favour the development of sport and which the unit wants to implement. Moreover, in order to complete this task, the decision making body of a local government unit should pass a specific resolution, which would indicate a public purpose connected with sport (art. 27 section 2 of the act on sport). Therefore, there’s no doubt that the support of specified actions connected with sport rests on the shoulders of bodies of local government units. It is those bodies that decide which public funds should be intended for that purpose. It is worth sharing an opinion that it concerns local government units at the commune, poviát and voivodeship levels [15].

A crucial regulation that specifies how local government units should grant sports scholarships is art. 31 of the act on sport. According to its content, local government units can establish and finance periodic sports scholarships, awards and distinctions for natural persons for the achieved sports results. The legislator divides this regulation into three types of benefits:

- 1) periodic sports scholarships;
- 2) awards;
- 3) distinctions.

Moreover, a list of people with such benefits is intended only for natural persons. Therefore, there are the sole beneficiaries. As it has been mentioned in the subject literature, legal persons such as sports clubs and sports associations were removed from this list [16]. In addition to that, the legislator gives the right to establish and finance scholarships for natural persons, among other types, regardless of the achieved sports result. The issue here mostly concerns a lack of any requirements when it comes to the result itself. Such a requirement could include taking a specific place during Polish, European or World Championships. The legislator leaves this matter to be freely acknowledged by bodies of local government units [17].

According to the provision of art. 31 section 2 of the act on sport, scholarships or awards for coaches, who train athletes with high sports results achieved in international sports competitions or national sport competitions, can be granted by local government units and financed from their budget. There's no doubt that the coach deserves a scholarship or an award, given that he or she is a person who prepares the athlete and at the same time achieves high sports results. However, when comparing sections 2 and 1 of the act on sport it is important to draw attention to the fact that the legislator somewhat specifies the sports requirement by stating, "high sports result in international sports competition or national sports competition". Thus, the result is burdened with the need to get a high score such as "a medal, place on the podium or just behind the podium" and not "any result" [18]. Due to the legislator's in consequence, the coach together with his or her athlete have to achieve "a high sports result" and as for the sole athlete, "any (every) sports result" is enough to get a scholarship. Of course the doctrine correctly points out that in order to update those regulations it is necessary to introduce the same sports result, defined as "a high sports result", both for athletes and coaches [19]. Currently, there's no such uniform criterion. Moreover, it could be possible to ponder a list of sports achievements on the way of *what the law should be* postulates that specify "a high sports result". Due to a lack of this type of list, every natural person who practices sport has the right to a sports scholarship regardless of his or her sports result. Moreover, in my opinion it seems justified to introduce a division between individual and team results to the list with regard to the given sports discipline.

Finally, art 31 section 3 of the act on sport indicates that the decision making body of a local government unit specifies, by the means of a resolution, detailed rules, the mode of granting and revoking as well as types and amounts of sports scholarships, awards and distinctions discussed in section 1 and 2 of article 31 of the act on sport, while considering the significance of the given sport to the concerned local government unit and the achieved sports result. First and foremost, it is possible to decode this regulation as a rule stating that it is local government units that specify significant elements in the content of a resolution about, for instance, sports scholarships.

In order for the resolution to be in line with the law, its content has to include:

- 1) detailed rules and the mode of granting and revoking;

- 2) types of granted benefits and
- 3) amounts of scholarships.

Apart from the above elements, the significance of the given sport to the given local government unit as well as the achieved sports result have to be taken into consideration. It is easy to imagine a situation in which the given local community identifies itself with the given sports discipline, for instance, Płock – handball, Gorzów Wielkopolski – speedaway and Włocławek – basketball. In judicial practice, it is possible to come across an opinion that, “it is important to assign a specific sports discipline to prestige of the given local government, speedway to Toruń, handball to Kielce, ski jumping to Zakopane” [20]. When assigning a sports discipline that has some significance for the given local government unit, it has to be “a discipline rooted in the local or supralocal tradition that is popular among citizens” [21]. It seems that the legislator had this meaning of sport in mind while writing this regulation. When it comes to the achieved sports result, there’s no defined requirement that conditions it on the basis of achieving a specific result. The legislator leaves this decision to free consideration of a local government’s bodies. That’s why the achieved sports result that is the condition for granting a sports scholarship differs greatly in terms of its interpretation by various local governments. It worth pointing out at least one of Court judgments, which states, “the assessment of criteria for the achieved sports result cannot only concern a place on the podium or a top place in sports competitions” [22]. Apart from that, the Court stated, “ for instance, an athlete with a low result in a supralocal competition can turn out to be the best athlete in the given sports discipline within the area of the given local government unit”.

As it has been mentioned above, the first important element of the resolution content concerning sports scholarships concerns detailed rules and the mode of granting and revoking them. The nature of a sports scholarship is to grant a periodic benefit, that’s why in provisions of the law the legislator provided an adequate resolution that may contain rules of revoking a sports scholarship. This direction seems right when imagining a situation in which the given “scholarship holder” suddenly gives up practising the given sport. Therefore, a mechanism contained in the content of the resolution to revoke a sport scholarship when the given athlete gives up practicing sport is to some extent a safeguard of local government units’ public funds against unlawful reception of an undue benefit. Of course, the effectiveness of this mechanism depends mostly on decision-making bodies that formulate the content of such a resolution. What’s interesting is the fact that one of court judgments stated, “if the body has the legal right to pass rules of revoking scholarships, then it also has the right to decide on rules of withholding them” [23]. The subject literature offers an opinion, based on *what the law should be* postulates, to move the provision on the return of the athlete’s or coach’s unduly received scholarship to the statutory regulation, to remove this detail from the resolution of local government units [24].

The second element of the resolution content is types of granted benefits. In the act on sport, the legislator lists: periodic sports scholarships, awards and distinctions. The selection of types of those benefits rests in the hands of local government units’ bodies. It has been correctly assumed that it is a finite list [25].

The third element that should be included in the resolution content is the benefit amount, however, art. 31 of the act on sport does not contain any brackets for minimum or maximum amounts. This way, the legislator leaves this matter to be included in the content of an adequate resolution passed by bodies of local government units. Exemplary amounts of sports scholarships will be discussed in the last part of this paper.

Despite a rather free definition of rules for granting scholarships that result from the content of art. 31 of the act on sport, a large section of resolutions passed by local government units contradicts the applicable regulations of the law and is the subject of judicial practice of administrative courts. Surpassing the authorization provided for in art. 31 of the act on sport is a rather common violation. It might seem that the provision expresses the known rule of *clara non sunt interpretanda, that is, clear regulations of the law do not require explanation*). According to this provision, it is the decision making body of a local government unit that specifies, by the means of a resolution, detailed rules, the mode of granting and revoking as well as types and amounts of sports scholarships, awards and distinctions (...). Therefore, the decision-making body of a local government unit is the only the body authorized to establish rules and the mode of granting and revoking sports scholarships. Moreover, the body cannot transfer its competence to another body, for instance the executive body. The above statement is reflected in numerous judgments of administrative courts. The judgment of the Supreme Administrative Court in Gliwice stated, “due to the will of the legislator expressed in art 31. of the law on sport, the sole body of a commune authorized to determine, by the means of a resolution, detailed rules, the mode of granting and revoking as well as types and amounts of sports scholarships, awards and distinctions is its council” [26]. At the same time, the Court stated, „it is the authorization range for formulating acts of local government, expressed by the legislator in the act, and the authorized body cannot transmit its competencies to the other body of a commune, that is, the commune head, mayor or president of a city”. To be more precise, decision-making bodies of local government units include:

- 1) commune council (city council) [27],
- 2) powiat council [28],
- 3) regional assembly (Voivodeship sejmik) [29].

In this context, it is also important to draw attention to the judgment of the Supreme Administrative Court in Bydgoszcz, which stated “according to the art. 31 of the law on sport, the council is authorized to determine the amount of a scholarship, as the decision-making body of a local government unit. There’s no doubt that transfer of such competency to the executive body is a significant violation of the law, because it is understood as violation of competencies of the body, which pursuant to the authorizing regulation indicated a body authorized to determine the amount of a scholarship” [30].

Another rather common violation is the incorrect listing of persons entitled to a sports scholarship. It is reflected by meeting other additional features, which the person applying for a scholarship needs to possess [31]. The criteria concern age, being part of a sports club, sports association or union, place of residence within the given area and schooling duty [32]. Naturally, those conditions contradict provisions of the act on sport. The above circumstances in judicial practice are very well known. As one of the Courts has indicated “limiting the circle of entitled entities only to athletes who belong to specific sports clubs is a regulation that takes the right to financial aid away from persons not belonging to the given sports club, what makes it significantly contradictory with art. 31 section 3 of the law on sport” [33].

The court in its substantiation points out that, “the provision does not give the right to make the category of those entitled to scholarships, awards and distinctions more detailed, more precise, or change it – according to art. 31 section 1 of the law on sport such entitled individuals are – natural persons”. Therefore, it has to be stated that the legislator expressly defined the range of persons as natural persons and there’s no possibility of modifying the list by the means of a resolution, that is, by introducing additional requirements for people applying for a scholarship. This kind of entity limitation “is beyond the statutory authorization

to pass a resolution, and in consequence it seriously violates art. 31 section 3 of the law on sport as well as art. 31 section 1 and art. 94 of the Constitution of the Republic of Poland” [34]. On the other hand, a different Court judgement confirms that „the Commune Council cannot narrow down the statutory list of entities entitled to sports scholarships only to persons belonging to the Polish sports association” [35].

Granting scholarships that depend on the age of an athlete should be deemed unacceptable too. This state of matter is justified by the Court in the following matter “ uneven chances of applying for a scholarship due to age, regardless of the practiced sports discipline and the achieved sports results, are unacceptable” [36]. Moreover, it is not possible to narrow the range of those entitled to scholarships down to a group of residents who practice solely within the area of their commune. Here, the Court is right by stating, „that according to the applicable law, all commune residents create the self-government community (...) and thus all residents of the given commune are the potential beneficiaries of sports scholarships, provided that they’re achieving sports results” [37]. Last but not least, it shall be deemed absolutely mandatory to acknowledge the Court judgment that, “art. 31 of the law on sport does not foresee criteria such as belonging to a sports club, having athlete’s license, practicing an Olympic sport, registering one’s residence within the area of the given commune and being over 18 years of age as well as does not give legal basis to local government units for its introduction” [38].

The mentioned judgments of administrative courts point out a shaped judgment view. Based on them, any limitation of the circle of those entitled to sports scholarships contradicts the law. Introduction of additional criteria by the means of local government units’ resolutions is undermined by plaintiffs, who are mostly athletes. Unfortunately, many of such resolutions are still present in judicial practice.

4. Amounts of sports scholarships

According to art. 31 section 3 of the law on sport, a significant element of local government units’ resolution is to indicate amounts of sports scholarships. For instance, amounts can be determined by indicating:

- 1) A specific amount;
- 2) Introduction of brackets from – to with simultaneous indication of precise criteria for the individualization of the given benefit [39].

In judicial practice, it is pointed out that “amounts of scholarships shall be precisely determined in resolutions by indication of a specific amount given to the entitled person for his or her achievements or by indication of a method for its calculation, so it everyone concerned by the resolution could calculate his or her scholarship” [40]. By performing an analysis of the selected resolutions of local government units it is possible to observe that most benefits differ significantly. There are those that are very well-developed and detailed, but on the other hand there are those with a great degree of generality. The resolution of the City Council of Lubliniec [41] determined the follow amounts for scholarships:

- 1) 500 PLN every month for medallists Olympic, World and European Championship medallists as well as Paralympic Championships medallists;
- 2) 300 PLN every month for Polish National Championships medallists;
- 3) 300 PLN every moth for persons representing Polish national teams;
- 4) 150 PLN every month for persons representing the Silesian Voivodeship in team sports.

It can be observed that the amount of benefits is not high, but it is expected from athletes to get high sports results. Due to that, the number of people applying for this kind of scholarships can be low.

A very detailed regulation concerning amounts of scholarships is provided for in the resolution of the City Council in Bydgoszcz [42]. According to art. 7 of this resolution, amounts of scholarships for athletes achieving high sports results in international sports competitions in return for their results is as follows:

- 1) the athlete took part in the Olympics, Paralympics, individual or team Deaf Championships and got:
 - a) gold medal – 2000 PLN gross,
 - b) silver medal – 1800 PLN gross,
 - c) bronze medal – 1600 PLN gross,
 - d) 4th place – 1000 PLN gross,
 - e) 5th place – 900 PLN gross,
 - f) 6th place – 800 PLN gross,
 - g) 7th place – 700 PLN gross,
 - h) 8th place – 600 PLN gross.
- 2) The athlete took part in individual or team World Championships in Olympic competitions, World Championships for the disabled in paralympic competitions and Deaf World Championships and got:
 - a) gold medal – 1500 PLN gross,
 - b) silver medal – 1400 PLN gross,
 - c) bronze medal – 1300 PLN gross,
 - d) 4th place – 900 PLN gross,
 - e) 5th place – 800 PLN gross,
 - f) 6th place – 700 PLN gross,
 - g) 7th place – 600 PLN gross,
 - h) 8th place – 500 PLN gross.
- 3) The athlete took part in individual or team European Championships in Olympic competitions, European Championships for the disabled in paralympic competitions and Deaf European Championships and got:
 - a) gold medal – 1200 PLN gross,
 - b) silver medal – 1100 PLN gross,
 - c) bronze medal – 1000 PLN gross,
 - d) 4th place – 850 PLN gross,
 - e) 5th place – 750 PLN gross,
 - f) 6th place – 650 PLN gross,
 - g) 7th place – 550 PLN gross,
 - h) 8th place – 450 PLN gross.
- 4) The athlete took part in individual or team World Youth Championships or World Deaf Junior Championships in Olympic competitions and got:
 - a) gold medal – 1000 PLN gross,
 - b) silver medal – 900 PLN gross,
 - c) bronze medal – 800 PLN gross.
 - d)
- 5) The athlete The athlete took part in individual or team European Youth Championships or European Deaf Junior Championships in Olympic competitions and got:
 - a) gold medal – 800 PLN gross,

- b) silver medal – 700 PLN gross,
- c) bronze medal – 600 PLN gross.
- 6) The athlete took part in individual or team World Junior Championships in Olympic competitions, World Junior Championships for the disabled in paralympic competitions and got:
 - a) gold medal – 700 PLN gross,
 - b) silver medal – 650 PLN gross,
 - c) bronze medal – 600 PLN gross.
- 7) The athlete took part in individual or team European Junior Championships in Olympic competitions, World European Championships for the disabled in paralympic competitions and got:
 - a) gold medal – 600 PLN gross,
 - b) silver medal – 550 PLN gross,
 - c) bronze medal – 500 PLN gross.
- 8) The athlete took part in individual or team Youth Championships in Olympic competitions and got:
 - a) gold medal – 600 PLN gross,
 - b) silver medal – 550 PLN gross,
 - c) bronze medal – 500 PLN gross.

However, art. 8 of the above resolution states that the amount of scholarships for athletes achieving high sports results in international sports competitions for the achieved results in Olympic competitions with regard to non-olympic events are as follows:

- 1) The athlete took part in individual or team World Championships, World Championships for the disabled and got:
 - a) gold medal – 1000 PLN gross,
 - b) silver medal – 950 PLN gross,
 - c) bronze medal – 900 PLN gross.
- 2) The athlete took part in individual or team European Championships, European Championships for the disabled and got:
 - a) gold medal – 800 PLN gross,
 - b) silver medal – 750 PLN gross,
 - c) bronze medal – 700 PLN gross.
- 3) The athlete took part in individual or team Youth World Championships or Youth Deaf World Championships and got:
 - a) gold medal – 800 PLN gross,
 - b) silver medal – 750 PLN gross,
 - c) bronze medal – 700 PLN gross.
- 4) The athlete took part in individual or team Youth European Championships or Youth Deaf European Championships and got:
 - a) gold medal – 600 PLN gross,
 - b) silver medal – 550 PLN gross,
 - c) bronze medal – 500 PLN gross.
- 5) The athlete took part in individual or team World Junior Championships, World Junior Championships for the disabled and got:
 - a) gold medal – 600 PLN gross,
 - b) silver medal – 550 PLN gross,
 - c) bronze medal – 500 PLN gross.
- 6) The athlete took part in individual or team European Junior Championships, European Junior Championships for the disabled and got:

- a) gold medal – 500 PLN gross,
- b) silver medal – 450 PLN gross,
- c) bronze medal – 400 PLN gross.

Finally, it is important to draw attention to the resolution of the City Council in Łądek-Zdrój [43], which establishes a single amount for sports scholarships. According to art. 2 of the above-mentioned resolution, a sports scholarship is granted to the athlete who achieved at least one of the following two sports results:

- 1) was part of the Polish national team during World or European Championships, Olympic Games or Paralympic Games,
- 2) took from 1st to 4th place in a competition at the level of Polish national championships,
- 3) took from 1st to 10th place during European or World Championships, Olympic or Paralympic Games,
- 4) took from 1st to 4th place in a championship competition at regional or voivodeship level.

According to art. 4 of the mentioned resolution, such an athlete receives a scholarship in the amount of 200 PLN gross every month.

The resolutions of local government units presented above lead to several basic conclusions. First of all, it is possible to observe a large disproportion in terms of determining monetary amounts of scholarships in resolution. Second of all, not every resolution was formed with detailed criteria for sports results, which are the deciding factor when granting a sports scholarship. Third of all, due to very different significance of results, I have doubts about provisions on the uniform amount of scholarships in the case of achieving different sports results [44]. There's no doubt that it's much more difficult to get on the Polish national team for World or European Championships than to take 4th place in a regional competition. Putting those results into one bag is in my opinion highly unfair. Therefore, not passing such resolutions seems right. Fourth of all, it is hard to deny the notion that some provisions about sports results are too high and because of that the number of people applying for scholarships is significantly limited [45].

References

1. Łysoń P., *Uczestnictwo w sporcie i rekreacji ruchowej w 2016 r.*, Główny Urząd Statystyczny, Warsaw 2017, p. 65, <http://stat.gov.pl/obszary-tematyczne/kultura-turystyka-sport/sport/uczestnictwo-w-sporcie-i-rekreacji-ruchowej-w-2016-r-,4,3.html> (access: 20.04.2018).
2. Wykowski J., *Polacy ruszyli, czyli jak moda na sport pokonuje nasze lennictwo*, <http://www.rynekzdrowia.pl/Po-godzinach/Polacy-ruszyli-czyli-jak-moda-na-sport-pokonuje-nasze-lenistwo,176217,10.html> (access: 20.04.2018).
3. Act of 25 June 2010 on Sport (uniform text: Journal of Laws of 2017, item 1463, further as the act on sport).
4. Stopczyński M., *Stypendium sportowe – perspektywy funkcjonowania*, „Sport Wyczynowy” 2002, no. 9-10, p. 53.
5. Dauerman T., *Stypendia sportowe ustanawiane przez jednostki samorządu terytorialnego*, „Finanse Komunalne” 2017, no. 7-8, p. 15.
6. See M. Stopczyński, *Stypendium sportowe – perspektywy funkcjonowania*, „Sport Wyczynowy” 2002, no. 9-10, p. 53-59, Foks J., *Stypendia sportowe – zagadnienia publicznoprawne*, „Sport Wyczynowy”, 2002, no. 11-12, p. 66-71.
7. Jabłoński A., *Ubezpieczenie społeczne sportowców [in:] Księga dla naszych kolegów. Prace prawnicze poświęcone pamięci doktora Andrzeja Ciska, doktora Zygmunta Masternaka, doktora Marka Zagrosika*, Wrocław 2013, p. 169.
8. See M. Stopczyński, *Uwagi na temat funkcjonowania instytucji stypendium sportowego*, „Sport Wyczynowy” 2005, no. 7-8, p. 58.
9. Dauerman T., *Stypendia sportowe ustanawiane przez jednostki samorządu terytorialnego*, „Finanse Komunalne” 2017, no. 7-8, p. 15.
10. Badura M., Basiński H., Kałużny G., Wojcieszek M., *Ustawa o sporcie. Komentarz*, Warsaw 2011, p. 46.
11. Judgement of the Voivodeship Administrative Court (WSA) in Rzeszow of 6 April 2017, ref. no.: II SA/Rz 1786/16, Legalis no. 1601881
12. Judgement of WSA in Wrocław of 13 January 2017, ref. no.: III SA/Wr 1320/16, Legalis no. 1629880.
13. Judgement of WSA in Bydgoszcz of 28 February 2017, ref. no.: II SA/Bd 1472/16, LEX no. 22711.
14. Judgement of WSA in Bydgoszcz of 28 February 2017, ref. no.: II SA/Bd 1472/16, LEX no. 22711.
15. Dauerman T., *Stypendia sportowe ustanawiane przez jednostki samorządu terytorialnego*, „Finanse Komunalne” 2017, no. 7-8, p. 17.
16. W. Cajselski, *Ustawa o sporcie. Komentarz*, Warszawa 2011, p. 250.
17. W. Cajselski, *Ustawa o sporcie. Komentarz*, Warszawa 2011, p. 250.
18. W. Cajselski, *Ustawa o sporcie. Komentarz*, Warszawa 2011, p. 251.
19. W. Cajselski, *Ustawa o sporcie. Komentarz*, Warszawa 2011, p. 251.
20. Judgement of WSA in Bydgoszcz of 29 March 2017, ref. no.: II SA/Bd 1463/16, LEX no. 2283771.
21. Dragon G., *Konstruowanie uchwały w sprawie stypendiów sportowych*, Praktyczne wyjaśnienia: art.31, Legalis ((access: 25.04.2018).
22. Judgement of WSA in Gdansk of 20 July 2017, ref. no.: III SA/Gd 372/17, Legalis no. 1650026.

23. Judgement of WSA in Bialystok of 13 October 2017, ref. no.: II SA/Bk 526/17, Legalis no. 1690945.
24. Dauerman T., *Stypendia sportowe ustanawiane przez jednostki samorządu terytorialnego*, „Finanse Komunalne” 2017, no. 7-8, p. 18.
25. Dauerman T., *Stypendia sportowe ustanawiane przez jednostki samorządu terytorialnego*, „Finanse Komunalne” 2017, no. 7-8, p. 18.
26. Judgement of WSA in Gliwice of 23 February 2017, ref. no.: III SA/Gl 1206/16, Legalis no. 1597608.
27. art. 15 of the Gmina Self-government act of 8 March 1990, (uniform text: Journal of Laws of 2017, item 1875).
28. art. 8 of the Powiat Self-government act of 5 June 1998, (uniform text: Journal Laws of 2017, item 1868).
29. art. 16 of the Voivodship Self-government act of 5 June 1998, (uniform text: Journal Laws of 2017, item 2096).
30. Judgement of WSA in Bydgoszcz of 29 March 2017, ref. no.: II SA/Bd 92/17, Legalis no. 1631561
31. Dauerman T., *Stypendia sportowe ustanawiane przez jednostki samorządu terytorialnego*, „Finanse Komunalne” 2017, no. 7-8, p. 18.
32. Dauerman T., *Stypendia sportowe ustanawiane przez jednostki samorządu terytorialnego*, „Finanse Komunalne” 2017, no. 7-8, p. 18.
33. Judgement of WSA in Bialystok of 13 October 2017, ref. no.: II SA/Bk 526/17, Legalis no. 1690945.
34. Judgement of WSA in Rzeszow of 6 April 2017, ref. no.: II SA/Rz 1786/16, Legalis no. 1601881
35. Judgement of WSA in Gdansk of 17 February 2017, ref. no.: III SA/Gd 1109/16, Legalis no. 1596975.
36. Judgement of WSA in Lodz of 22 November 2017, ref. no.: II SA/Łd 651/17, LEX no. 2411019
37. Judgment of the Supreme Administrative Court (NSA) of 5 July 2017, ref. no.: II GSK 2776/15, LEX no. 2351650
38. Judgement of WSA in Krakow of 19 January 2017, ref. no.: II SA/Kr 1386/16, LEX no. 2240905
39. Judgement of WSA in Gdansk of 23 February 2017, ref. no.: III SA/Gd 1126/16, LEX no. 2254407.
40. Judgement of WSA in Bydgoszcz of 29 March 2017, ref. no.: II SA/Bd 92/17, LEX no. 2284634
41. Resolution no. 189/XVIII/2016 of the Lubliniec City Council of 28 January 2016, <http://www.lubliniec.bip.info.pl/index.php?idmp=215&r=r> (access: 25.04.2018).
42. Resolution no. LII/1086/17 of the Bydgoszcz City Council of 29 November 2017, http://bip.um.bydgoszcz.pl/struktura_miasta/wydzialy_urzedu_miasta/wydzial_educacji_i_sportu/ogloszenia/ (access: 20.04.2018 r.).
43. Resolution no. XXXVIII/248/2017 of the Łądek-Zdrój City Council of 20 March 2017, dnia 20 marca 2017, <http://edzienniki.duw.pl/duw/Compatible/Details?Oid=48930> (access: 25.04.2018).
44. Resolution no. XXXVIII/248/2017 of the Łądek-Zdrój City Council of 20 March 2017, dnia 20 marca 2017, <http://edzienniki.duw.pl/duw/Compatible/Details?Oid=48930> (access: 25.04.2018).

45. See Resolution no. 189/XVIII/2016 of the Lubliniec City Council of 28 January 2016, <http://www.lubliniec.bip.info.pl/index.php?idmp=215&r=r> (access: 25.04.2018).