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Legal Regulation of New Technologies in the Context of Public Authority and State Governance

Keywords: artificial intelligence, public administration, digital technology

Summary. This article examines the role of new technologies, including artificial intelligence, in the exercise of public authority. The dynamic development of digitalisation and the processes taking place within contemporary societies indicate the necessity of equipping public administration with modern technological tools that enable the effective performance of tasks related to state governance. Particular attention must be paid to the fact that the scope of data processed by public administration creates a strong need for adequate safeguards ensuring the security of such data. Consequently, technological tools implemented in public institutions should meet the highest standards of authorisation and cybersecurity, while public officials should possess a high level of competence enabling the proper use of such solutions. At the same time, the state bears responsibility for establishing legal frameworks and clear guidelines regulating the use of artificial intelligence in public administration and providing a basis for the adoption of further internal regulations within administrative structures.

Regulacje prawne w zakresie nowych technologii w perspektywie sprawowania władzy publicznej i zarządzania państwem

Słowa kluczowe: Sztuczna inteligencja, administracja publiczna, nowe technologie

Streszczenie. Przedmiotem niniejszego opracowania jest wykorzystanie nowych technologii w tym sztucznej inteligencji w sprawowaniu władzy publicznej. Dynamika rozwoju cyfryzacji oraz procesów zachodzących w społeczeństwie wskazuje na potrzebę wyposażenia administracji publicznej w nowe narzędzia oparte o najnowsze rozwiązania informatyczne umożliwiające efektywne wykonywanie zadań z zakresu zarządzania państwem. Istotny jest fakt, że zakres danych przetwarzanych przez administrację stanowi o potrzebie bezwzględnej zabezpieczenia danych. W związku z powyższym dostarczane narzędzia powinny cechować się najwyższymi poziomami autoryzacji, a kadra urzędnicza wysokim poziomem wiedzy o korzystaniu z nich. Zadaniem państwa jest również stworzenie ram prawnych i jasnych wytycznych określających zasady użytkowania sztucznej inteligencji w urzędach oraz dające podstawy do dalszych wewnętrznych regulacji.

Introduction

The exercise of public authority by state bodies constitutes a broad and general concept, as it encompasses the performance of tasks at the local, regional and national levels. It should therefore be emphasised that activities falling within the notion of state governance may relate both to the responsibilities of local self-government units and to those performed directly by the Council of Ministers.

For this reason, the identification of the objectives of public administration requires the determination of the target group or the sphere of activity to which administrative actions are directed. The scope of issues encountered by public administration on a daily basis is extensive and multifaceted. Some of these responsibilities are defined, inter alia, in Articles 6–8 of the *ustawa o samorządzie gminnym*¹, Article 4 and, where applicable, Article 4a of the *ustawa o samorządzie powiatowym*², Articles 11 and 14 of the *ustawa o samorządzie województwa*³, as well as in the *ustawa o działach administracji rządowej*⁴, not to mention numerous specific statutes regulating particular areas of administrative activity.

Given the multiplicity of tasks performed by public administration, ensuring effective planning mechanisms becomes essential. At the same time, it should be noted that the role of public administration itself is evolving. It is no longer limited to individual administrative bodies providing services to citizens; increasingly, it involves active participation in planning and shaping public policy programmes⁵. Attention should also be drawn to the autonomy of regions in designing their own development policies, which results from the decentralisation of public authority. As a consequence, regional centres have gained greater capacity to make decisions concerning their own socio-economic development, which ultimately contributes to the development of the state as a whole⁶. National strategies, which fall within the competence of members of the Council of Ministers, are also subject to consultation within the framework of cooperation between central government administration and local self-government authorities⁷.

¹ Ustawa z dnia 8 marca 1990 r. o samorządzie gminnym (Dz. U. z 2025 r. poz. 1153 i 1436).

² Ustawa z dnia 5 czerwca 1998 r. o samorządzie powiatowym (Dz. U. z 2025 r. poz. 1684).

³ Ustawa z dnia 5 czerwca 1998 r. o samorządzie województwa (Dz. U. z 2025 r. poz. 581 i 1535).

⁴ Ustawa z dnia 4 września 1997 r. o działach administracji rządowej (Dz. U. z 2025 r. poz. 1275 i 1846).

⁵ A. Z. Kamiński, *Administracja publiczna we współczesnym państwie*, „Przegląd Socjologiczny” 2004, 53(2), p. 135.

⁶ A.W. Jabłoński, *Uwarunkowania i kierunki rozwoju administracji publicznej w Polsce po 1989 roku*, [in:] *Administracja publiczna i polityki publiczne. Tom poświęcony pamięci Profesora Ryszarda Herbuta*, Wałbrzych 2025 r., p. 45–56.

⁷ D. Sześciło, M. Niziołek, *Administracja współpracująca. Zarządzanie publiczne jako kooperacja*, [in:] *Administracja i zarządzanie publiczne. Nauka o współczesnej administracji*, red. D. Sześciło, Warszawa 2014, p. 284.

The extensive responsibilities of contemporary public administration, viewed not only from the perspective of providing services to citizens but also from the perspective of supporting development and governance processes, create a need for the state to possess modern technological tools and access to a broad range of information resources necessary for the effective exercise of the competences entrusted to public authorities.

I. Legal Foundations for use of new technologies in public administration

In accordance with the well-established principle derived from Article 7 of the Constitution of the Republic of Poland⁸, the activities of public administration must be strictly grounded in law. Consequently, while the aforementioned provisions and specific statutes provide the legal basis for undertaking actions in particular areas, it is equally necessary to consider the legal foundations for the use of new digital tools designed to facilitate the performance of administrative tasks.

The primary legal framework governing the use of artificial intelligence is the AI Act⁹, which establishes regulatory guidelines for both private and public entities, including local self-government units¹⁰. The provisions of the regulation are further complemented by national legislation¹¹. Nevertheless, the provision of public services and the conduct of state governance with the use of artificial intelligence require not only legal regulation but also the development of an appropriate expert and research environment.

For this reason, the IDEAS Research Institute, dedicated to research involving artificial intelligence, has been established¹². According to the regulation establishing the institute, it operates under the supervision of both the Minister of

⁸ Konstytucja Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r. (Dz. U. nr 78 poz. 483 z późn. zm.).

⁹ Rozporządzenie Parlamentu Europejskiego i Rady (UE) 2024/1689 z dnia 24 czerwca 2024 r. w sprawie ustanowienia zharmonizowanych przepisów dotyczących sztucznej inteligencji oraz zmiany rozporządzeń (WE) nr 300/2008, (UE) nr 167/2013, (UE) nr 168/2013, (UE) 2018/858, (UE) 2018/1139 i (UE) 2019/2144 oraz dyrektyw 2014/90/UE, (UE) 2016/797 i (UE) 2020/1828 (akt w sprawie sztucznej inteligencji) (Dz. Urz. UE. z 2024 r. str. 1689).

¹⁰ K. Szpyt, A. Bilski, *Wybrane wyzwania prawne i organizacyjne związane z wdrażaniem systemów AI w działalności samorządów terytorialnych*, "Prawo i Więź" 2025, no. 1 vol. 54, p. 583.

¹¹ In Poland, a draft Act on Artificial Intelligence Systems (UC71) (projekt ustawy o systemach sztucznej inteligencji) is currently under consideration. The current stage of the legislative process indicates that the draft is being examined within the framework of intra-governmental proceedings. At present, consultations are ongoing within the Stały Komitet Rady Ministrów (status as of 20 February 2026).

¹² Rozporządzenie Rady Ministrów z dnia 25 lutego 2025 r. w sprawie utworzenia Instytutu Badawczego IDEAS (Dz. U. poz. 238).

Digital Affairs and the Minister of National Defence. The division of supervisory responsibilities reflects the scope of tasks performed by the institute. Breakthrough technologies, including artificial intelligence, have a direct impact on issues related to national defence; therefore, the involvement of the Minister of National Defence contributes to strengthening the security of the state. The supervisory responsibilities of the minister include, inter alia, the development of autonomous systems, advanced data analysis technologies and the security of digital solutions, which are essential for the protection of critical infrastructure, military operations and responses to contemporary security threats¹³.

At the same time, the supervision exercised by the Minister of Digital Affairs is equally important, as artificial intelligence constitutes one of the key pillars of Poland's digital transformation. AI technologies support the development of smart cities, digital public administration and innovative services for citizens and entrepreneurs. Through cooperation with the Ministry of Digital Affairs, the IDEAS Research Institute may contribute to the development of ethical and effective technological solutions aimed at improving both the accessibility and the quality of public services. Furthermore, the supervisory role of the minister enables the integration of artificial intelligence research with broader digital transformation initiatives, including the development of data infrastructure, the implementation of advanced computing platforms and cybersecurity initiatives within public administration¹⁴.

It should also be emphasised that the scope of activities carried out by the institute is not limited solely to areas assigned to ministers under the *ustawa o działach administracji rządowej*. According to the regulation establishing the institute, research involving artificial intelligence may also be conducted in the fields of natural sciences, engineering and technology, as well as social sciences. The institute may also undertake research aimed at strengthening Poland's position in the international arena and supporting the development of public administration services¹⁵.

Within the legal framework there are also provisions which, although not directly related to the use of artificial intelligence itself, enable advanced analytical processes that had not previously been employed in the development of public policies and administrative tasks. As a result, the provision of public services and

¹³ Justification to the draft rozporządzenia Rady Ministrów w sprawie utworzenia Instytutu Badawczego IDEAS (RD171), <https://legislacja.rcl.gov.pl/projekt/12394003/katalog/13108636#13108636> (13.02.2026 r.).

¹⁴ *Ibidem*.

¹⁵ § 2 ust. 2 pkt 1-5 rozporządzenia IDEAS.

the management of state governance may be supported by comprehensive data and information resources made available to public authorities.

II. Technological solutions

It is a natural consequence that the organisation of state governance, of which public administration constitutes an essential element, has been developed primarily on the basis of formal procedures. These procedures, in turn, maintain their continuity thanks to the civil service corps, which ensures compliance with the applicable guidelines. Nevertheless, in order to perform the assigned tasks, appropriate tools are necessary, including those based on information systems.

The implementation of technologically advanced solutions within public administration requires the central authorities not only to introduce amendments in the field of legislation, but also to modify the operational schemes of the decision-making structures functioning at particular levels of the administrative hierarchy. At the same time, the awareness of public officials should be gradually increased through centrally organised training programmes and workshops.

It should be emphasised that any procedural changes will not be effective without properly trained public officials, understood as individuals who consciously and competently use the new technologies provided by those managing public organisational units. Furthermore, attention must also be paid to issues related to security and the protection of information, including the protection of processed data. For this reason, a cautious and pragmatic approach to the use of new technologies is justified, particularly with regard to solutions provided by commercial entities.

In response to the emerging expectations within public administration, models based on domestic technological solutions are being developed, including those involving the use of artificial intelligence. In this context, reference should be made to PLLuM (Polish Large Language Model), which was created in order to adapt a language model to standards and realities based on the grammar of the Polish language. The model is primarily intended to understand the aforementioned rules of the Polish language, but also the socio-cultural context and the specific characteristics of administrative language. The PLLuM library has been developed on the basis of resources originating from scientific institutions, public repositories and entities that voluntarily supported its development¹⁶.

¹⁶ <https://www.gov.pl/web/cyfryzacja/pllum--polski-model-jezykowy-jak-dziala-i-do-czego-moze-sie-przydac> [accessed on: 12.02.2026].

Experts and research institutions participated in the project, including those from Politechnika Wrocławska, the Instytut Podstaw Informatyki Polskiej Akademii Nauk, and the Naukowa i Akademicka Sieć Komputerowa – Państwowy Instytut Badawczy¹⁷. The objective of the project was not only to create a language model capable of learning and evolving within the framework of large language models, but also to develop a prototype of a virtual assistant intended to support the work of public administration¹⁸.

Thanks to the involvement of the project team, it was possible to develop an intelligent assistant specialised in retrieving information on the basis of queries formulated in natural language and contextual analysis and generating final responses. On the basis of this solution, a service dedicated to Polish public administration has been developed¹⁹.

III. Use of modern technologies by public officials

As has already been emphasised in this article, regardless of the introduction of soft organisational changes in the organisation of work or the implementation of solutions requiring amendments to legislation, it is necessary to ensure an adequate level of awareness and competence among public officials. Persons responsible for introducing new technologies into the activities of public administration must first conduct a review of the institutional environment and determine the current needs for potential interventions or support for the administrative staff.

For this reason, the Ministry of Digital Affairs, recognising the necessity of identifying the aforementioned factors, undertook the task of examining the needs of public officials in the context of the use of artificial intelligence tools. This task was entrusted to a specialised research institution: Naukowa i Akademicka Sieć Komputerowa – Państwowy Instytut Badawczy (NASK-PIB), which committed itself to carrying out the project entitled “AI in Public E-Administration: The Administrative and Institutional Perspective – Diagnosis of the Needs and Attitudes of Public Officials and Implementation Possibilities with Consideration of Practical Conditions”²⁰.

According to the study prepared by NASK-PIB, the objective of the project was to collect opinions among public officials concerning the problems related to

¹⁷ <https://science.nask.pl/research-areas/projects/7573> [accessed on: 12.02.2026].

¹⁸ *Ibidem*.

¹⁹ <https://pllum.org.pl/blog/posts/zakonczenie-projektu-pllum> [accessed on: 13.02.2026].

²⁰ The project was implemented on the basis of targeted grant agreement No. 5/WB/DBI/2025 concluded between the Minister of Digital Affairs and Naukowa i Akademicka Sieć Komputerowa – Państwowy Instytut Badawczy (NASK-PIB).

the implementation of artificial intelligence in public administration and, where possible, to develop new administrative processes²¹.

The study was conducted via the Internet, and invitations to participate in the survey were sent using the ePUAP and e-Delivery systems. A total of 6,093 questionnaires were obtained, the content of which indicates, for example, that artificial intelligence may most frequently be used in the work of public offices for the translation and editing of content in foreign languages (77% of responses)²². The next most frequently indicated uses were searching for and analysing existing documentation (72%) and the creation of large datasets (69%)²³. The lowest ranking concerned the drafting of legal acts, justifications and administrative decisions (42%)²⁴.

These findings correspond with the report prepared by the Urząd Ochrony Danych Osobowych, which also emphasised that artificial intelligence is used primarily in operations aimed at improving everyday tasks, such as writing texts, handling clients and supporting communication²⁵.

As demonstrated by the research conducted by NASK-PIB, attitudes towards new technologies, particularly artificial intelligence, among managerial staff are diversified. It is possible to observe a favourable attitude, for example within ministries, where the approach towards officially available tools may be described as positive. At the same time, there is also a critical approach manifested in reluctance to use unofficial solutions²⁶.

Reluctance to use solutions that have not been authorised by the organisation is, of course, justified, particularly in light of the above-mentioned report of the Urząd Ochrony Danych Osobowych and the issue of the security of processed data. Even where such information does not constitute personal data, it may still include internal organisational information. It should also be noted that the greatest vulnerabilities occur among entities processing large volumes of data. In this context, the UODO identifies universities, local self-government units, educational institutions and smaller entrepreneurs²⁷.

²¹ Final report of the product developed under targeted grant agreement No. 5/WB/DBI/2025 (as of the date of submission of this article, the report has not yet been published by the Ministry of Digital Affairs).

²² *Ibidem*.

²³ *Ibidem*.

²⁴ *Ibidem*.

²⁵ Raport Strategiczny – Badanie potrzeb organizacji w zakresie wykorzystania sztucznej inteligencji i ochrony danych osobowych, p. 4, <https://uodo.gov.pl/pl/589/4058> [accessed on: 16.02.2026].

²⁶ Annex No. 1 to the final report of the project implemented under targeted grant agreement No. 5/WB/DBI/2025 (as of the date of submission of this article, the report has not yet been published by the Ministry of Digital Affairs).

²⁷ Raport Strategiczny – Badanie potrzeb organizacji..., p. 14.

Consequently, it has been observed that awareness of the use of artificial intelligence in public administration is in a certain sense twofold. On the one hand, there is widespread knowledge of the advantages and opportunities associated with such tools, for example in terms of increased productivity, new possibilities or practical assistance. On the other hand, a certain weakness may be observed due to the numerous threats associated with their use, such as the risk of data leakage²⁸. Nevertheless, it should be emphasised that employees of state institutions demonstrate a high level of awareness of the responsibility associated with access to and use of information of state significance. For this reason, the level of concern regarding data security when using artificial intelligence tools is higher among public officials than within society in general²⁹.

An important observation is that employees of central administration perceive greater potential for the use of artificial intelligence in almost every area of activity. The greatest difference concerns document archiving and the assignment of file reference numbers (15 percentage points). Interestingly, local government officials more frequently indicated that artificial intelligence could be used for the drafting of legal acts. However, as the authors of the study emphasise, this response was relatively rarely indicated by respondents overall³⁰.

In light of the above, the conducted study led to the following conclusion: digital transformation at the municipal level and the implementation of new technologies require two different types of solutions, as two distinct working ecosystems exist. Cities resemble corporate environments and therefore require technological “multi-tools” enabling mass data processing and the automation of hundreds of documents. In rural municipalities, by contrast, a public official performs multiple roles, and the supporting technology must therefore function as a virtual assistant that facilitates knowledge retrieval and provides support in nearly every administrative matter³¹.

It should also be emphasised that the problem of technology being treated merely as an additional layer of work must be addressed. Situations still occur in which so-called “double work” is performed, meaning that tasks are carried out both within ICT systems and in paper form. Consequently, the implementation of another technological solution, even more advanced, would remain ineffective, as it would not in practice reduce the workload of public officials. In some cases,

²⁸ Annex No. 1...

²⁹ *Ibidem*.

³⁰ Final report...

³¹ Annex No. 2 to the final report of the project implemented under targeted grant agreement No. 5/WB/DBI/2025 (as of the date of submission of this article, the report has not yet been published by the Ministry of Digital Affairs).

it may even become an additional solution requiring time and effort rather than providing genuine support³².

At the municipal level, a phenomenon of decision-making paralysis can be observed due to the lack of clear guidelines regarding the use of artificial intelligence tools within administrative units. Public officials expect clear legal grounds defining the possibility of using AI. As the authors of the study point out: “Local officials are paralysed by legal risk. No one wants to be the first to ‘let AI in’ and expose the municipality to problems. There is a widespread expectation of central certification – a kind of ‘security seal’ issued by the state or a trusted provider. The ministry should promote solutions that relieve mayors of the burden of deciding on compliance with the GDPR, for example by guaranteeing secure cloud infrastructure or conducting audits. Without such a ‘security stamp’, decision-making at the local level will remain frozen”³³.

At the county level, two areas requiring urgent intervention can be identified. The first concerns relieving employees of routine manual tasks, which currently constitute a waste of the intellectual potential of administrative staff who must repeatedly rewrite data between systems. This indicates that the problems identified at the municipal and county levels are largely similar and relate to the continued engagement of employees in paper-based tasks that could already be performed digitally³⁴.

The second clearly visible need for intervention concerns the architecture of IT systems in terms of interoperability. At present, a lack of sectoral cooperation and the closed nature of supplier environments constitute barriers to the implementation of new technological solutions³⁵. At the same time, the current delays in implementing artificial intelligence within public administration, when compared with the private sector, should not be interpreted as administrative inefficiency. The objectives of these sectors differ significantly. While the private sector aims primarily at maximising profits, the fundamental mission of public administration is to serve society and protect the public interest³⁶.

Nevertheless, the study also indicates that at the county level there is a clear expectation that formal guidelines defining the legal framework for the use of

³² *Ibidem*.

³³ *Ibidem*.

³⁴ Annex No. 3 to the final report of the project implemented under targeted grant agreement No. 5/WB/DBI/2025 (as of the date of submission of this article, the report has not yet been published by the Ministry of Digital Affairs).

³⁵ Annex No. 3...

³⁶ J. Blicharz, L. Zacharko, *Wdrażanie technologii sztucznej inteligencji w administracji publicznej – kilka refleksji*, [in:] *Administracja publiczna wobec procesów zmian w XXI wieku. Księga jubileuszowa Profesora Jerzego Korczaka*, red. P. Lisowski, W. Jakimowicz, Wrocław 2024, p. 354-355.

artificial intelligence should be introduced, as well as the designation of an entity that could act as a leader in the standardisation of such solutions³⁷.

Conculsion

The overall subject of state governance constitutes an extremely extensive field, as in addition to performing activities related to the day-to-day functioning of the state, public authorities are also responsible for developing public policies. These activities are characterised by their broad scope, and their range continues to expand over time. Furthermore, society itself constitutes an active organism and a complex structure subject to numerous interdependencies and external stimuli. As a result, the authorities responsible for state governance or for the development of public policies are in practice unable to determine in advance what kinds of challenges they may face in either the distant or even the near future.

A clear example of such a phenomenon occurred in the spring of 2020, when a profound negative transformation of social life took place, accompanied by an unprecedented modification of the scope of activities carried out by state authorities. For this reason, the state must possess not only a specialised corps of public officials who, by virtue of their competencies, are capable of undertaking actions necessary to ensure the functioning of the state, but also modern tools supporting them in the performance of these tasks.

Nevertheless, the introduction of new tools must be conditioned by certain standards. Above all, security considerations must be preserved, which means that solutions used by public administration should meet appropriate authorisation standards. At the same time, as demonstrated by research conducted by NASK-PIB, there exists an expectation at the local level for clear guidelines concerning the use of new technologies. Consequently, several essential elements may be identified with regard to the introduction of artificial intelligence in public administration:

- 1) the establishment of general legal frameworks providing overall guidelines regarding the possibility of using modern technological tools within public administration;
- 2) following the introduction of such general frameworks, the adoption of sectoral or internal regulations specifying in detail the scope of the use of available technological solutions;
- 3) the development of domestic language models and ICT systems, or the establishment of cooperation with service providers guaranteeing the highest security standards, where possible;

³⁷ Annex No. 3...

- 4) the differentiation of technological solutions according to their intended users, taking into account the different needs of central administration, counties, municipalities, as well as institutions such as inspections or educational supervisory authorities;
- 5) the elimination of the phenomenon of so-called “double work”, meaning the simultaneous handling of cases in both paper and digital form;
- 6) training and education of public officials in the use of the tools provided, so that such tools become genuine support in the performance of administrative duties.

Provided that the above conditions are fulfilled, the performance of tasks related to state governance may acquire greater dynamism and flexibility in responding to external variables that directly affect the functioning of the state. The execution of tasks by public authorities is possible only with the support of an efficient and well-qualified civil service corps, and when combined with modern technologies provided by the state, the resilience of public administration to constantly emerging challenges becomes relatively higher.

Legal provisions as well as internal organisational regulations must therefore be adapted to the realities currently prevailing, particularly with regard to the principles governing the performance of tasks by public administration. Positive developments worthy of emphasis include events that have taken place in Poland in recent years, such as the development of domestic language models intended for use in public administration, advanced legislative work concerning the regulation of artificial intelligence, and the establishment of a research institute dedicated to the study of artificial intelligence.

The above clearly demonstrates that the emerging technological challenges are recognised by state authorities, which are actively responding to the needs arising from contemporary socio-economic reality.

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