

IMPACT OF EUROPEAN UNION PROGRAMS ON THE ACTIVITIES OF THE THIRD POLISH REPUBLIC'S PARLIAMENT IN THE FIELD OF SPORT IN THE YEARS 2004–2007

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Abstract The aim of this paper is to show the impact of European Union programs on the activities of the Third Polish Republic's Parliament in the field of sport in the years 2004–2007. The Republic of Poland joined the European Union (EU) on 1 May 2004. Since then, it has been co-creating the image of sport in Europe. All activities undertaken by the Polish Parliament in the development of sport after this event were related to programs in the European Union. During the period covered in this paper, the institutions involved in sport in the European Union included the Council of the European Union, the European Parliament, the European Commission and the European Court of Justice. One year after Poland's accession to the European Union, elections were held for the fifth term of the Polish Sejm (2005–2007). The representatives of the Polish Parliament, during meetings of the Physical Culture and Sport Committee, repeatedly pointed to the possibility of adapting EU programs and their use in the development of sport in Poland. The material presented by the Ministry of Sport and the Office of the European Integration Committee in Warsaw informed about the following programs (mainly investment ones): *Sport in the structures of the European Union* and *European Union Programs for the development of sport*, implemented between 2004 and 2006.

The most important issues raised by the Committee were those contained in the two most important documents: *White Paper on Sport* and *Independent European Sport Review*.

As a result of the work of the Parliament of the Republic of Poland during the fifth term of office (2005–2007) in cooperation with the Ministry of Sport and the Parliamentary Physical Culture and Sport Committee, a plan for co-financing projects for the construction, extension or modernization of sports infrastructure under the EU structural programs and the INTERREG III A and EQUAL Community Initiatives was developed.

The effect of Poland's membership in the EU in that period was a gradual elimination of infrastructural negligence and undertaking activities related to the activation of local communities in the area of education and sport. Poland's membership in the EU so far has brought positive results: increased accessibility of sport thanks to the development of regional infrastructure co-financed by the EU funds and the enrichment of the program offer by supporting projects related to the organization of extracurricular sports activities for children and young people. The positive effects of membership in the field of sport are still being perceived by selected groups and society as a whole.

Key words Programs of the European Union, Polish Parliament, sport

Introduction

Being a member of the European Union (EU) since 1 May 2004 (Official Journal, 2004a), the Republic of Poland has co-created the image of sport in Europe. All activities undertaken by the Polish Parliament in the development of sport after this event were related to emerging programs in the structures of the European Union. From the outset, sport was not an area of EU integration and competence under Community law. The legal basis for EU action in the field of sport was only enshrined in the Lisbon Treaty of December 2007, subject to the ratification process in all Member States (Official Journal of the EU C 83 z, p. 47; Official Journal of the EU C 306 z, p. 1; Official Journal of the EU C 83 z, p. 13; Official Journal, 2004b; Official Journal of the EU C 321E z, p. 37). Sport in the European Union was seen as an important instrument in the fight against negative social phenomena such as drug abuse, alcoholism, intolerance and social exclusion. The importance of sport in the promotion of a healthy lifestyle, in the fight against diseases of affluence, including obesity and a sedentary lifestyle, was emphasized. For the first time, a reference to sport of this rank in the EU document was included in *Declaration No. 29*, annexed to the *Treaty of Amsterdam* (http://oide.sejm.gov.pl/oide/images/files/dokumenty/traktaty/Traktat_amsterdamski_PL_16.pdf (accessed on 23.01.2019)). This declaration emphasized the social importance of sport. The next document was the *Nice Declaration* of 2000 (http://ec.europa.eu/sport/pdf/doc244_en.pdf (2.01.2019); https://mfiles.pl/pl/index.php/Traktat_Nicejski (26.01.2019)) on the specific nature of sport, which recognized its social, educational and cultural functions. The next step was to consist in a provision on sport in the Constitutional Treaty (<https://uokik.gov.pl/download.php?plik=6354> (23.01.2019)). Sport was mentioned as one of the areas where the European Union could support, coordinate or complement the action taken by the Member States. The sports community attempted to strengthen the role of sport in EU institutions and to highlight its important role. The answer proved to be the *Independent European Sport Review* (Żyśko, 2009a). Representatives of the Polish Parliament, during meetings of the Physical Culture and Sport Committee, repeatedly referred to EU programs and their use in the development of sport in all areas of life (Bulletin No. 1766/V, pos. No. 70). The material presented by the Ministry of Sport and the Office of the European Integration Committee in Warsaw contained information on EU programs (mainly investment ones) implemented in the years 2004–2006 (Kałużyńska, Smyk, Wiśniewski, 2009, pp. 294–308; <https://uokik.gov.pl/download.php?file=6354> (23.01.2019)). The majority of the parliamentary discussion focused on topics related to Poland's contribution to *Sport in the structures of the European Union* and *European Union Programs for the development of sport*. During the discussed period (2004–2007), the institutions involved in sport in the European Union were the Council of the European Union, the European Parliament, the European Commission and the European Court of Justice (Kolos, 2011).

The Council of the European Union

The European Union consisted of ministers responsible for a given department. Ministers' meetings were formal or informal, but in the case of sport they were always informal. The meetings were held under a given Presidency. In 2005–2007, the Presidency was held by three countries: Germany, Portugal and Slovenia. The joint Presidency's program included the following provision regarding sport: *The Council's attention may be drawn to various subjects of common interest: the contribution of sport and sporting events to economic development, education and employment, the role of sport in promoting public health, cooperation between Member States on anti-doping activities, EU international sports policy and cooperation in the field of sports sciences* (Bulletin No. 1766/V,

pos. No. 70, p. 7). In order to discuss particular issues, the German Presidency held two informal meetings (The first took place in Bonn on 1–2 February 2007 and the second in Stuttgart on 12–13 March 2007). One of the most important issues discussed during the meetings was the fight against doping in sport. Growing problems in sport were also the subject of the International Convention against Doping in Sport at the 33rd Session of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as UNESCO, at its meeting in Paris on 19 October 2005 (Journal of Laws of 2007, No. 142, item 999). The *White Paper on Sport*, adopted by the European Commission in July 2007 under the Portuguese Presidency of the EU Council, also included provisions on the fight against doping. Being a non-legislative document, the *White Paper*, in Paragraph 2.2 entitled *Joining forces in the fight against doping*, identifies doping as a threat to sport around the world, a factor undermining the principles of open and fair competition. In the context of the struggle against this phenomenon in sport, the idea of creating an EU communication network of national anti-doping organizations was born (<https://msit.gov.pl/pl/sport/uczciwosc-i-bezpieczens/antydoping/609,Unia-Europejska-a-doping-w-sporcie.html> (27.01.2019)). The Presidency recognized the need to strengthen the cooperation of individual national institutions, including Polish ones, that had so far worked independently. Cooperation was undertaken occasionally, depending on the needs of a given EU Member State. It was proposed that a partnership be created between Member States' law enforcement authorities (border guards, police, customs offices, etc.), laboratories accredited by the World Anti-Doping Agency (WADA) and INTERPOL in order to exchange information on new means and methods of doping. The *White Paper* also envisaged the creation of a network of national anti-doping organizations belonging to EU Member States. All Member States accepted the implementation of this proposal. It was to be implemented with the provision that this cooperation could not result in further financial commitments (<https://msit.gov.pl/pl/sport/uczciwosc-i-bezpieczens/antydoping/609,Unia-Europejska-a-doping-w-sporcie.html> (27.01.2019)). The second, particularly important issue raised by the German Presidency, was the analysis of the economic benefits of sports investments and, in particular, of major sporting events, such as the 18th World Cup in Germany in 2006. Research conducted by the Presidency showed that investing in sport was profitable, often much more than in other areas of the economy, and the main advantage of this type of events was the development of the existing (or construction of new, often from the ground up) sports and tourist infrastructure. As a result of the above-mentioned plans, a European project called the *Sport Satellite Account* was created, which became a statistical tool for measuring the significance of sport for the European economy (Tomaszewicz, Świczewska, Strawiński, Kulczycka, 2010, pp. 7–8). The first EU initiative to define the economic dimension of sport was the decision of the European Commission under the Austrian Presidency in 2006 to set up a Working Group on Sport and Economics. At the first meeting in Vienna on 27–28 September 2006, the main objectives of the Group's activities were identified: to determine the percentage share of the sports sector in GDP, as well as the share in employment and added value, and purchasing power in relation to national economies and at European Union level – to determine the dynamics of the sports sector over time – to obtain reliable data on which to base future decisions on the sports sector (Tomaszewicz et al., 2010, pp. 9–10).

During subsequent meetings of the Group, documents that constitute the basis for the preparation of national sport satellite accounts were developed:

1. *Vilnius definitions* – a table containing selected categories of products and economic activities related to the sports sector according to the official NACE and CPA classifications applied in the European Union.

2. *How to create a sport satellite account?* – a methodological document, prepared by experts from SportsEcon Austria, containing practical guidelines on the methodology for creating satellite accounts (Tomaszewicz et al., 2010, pp. 9–10).

The economic dimension of sport is also reflected in the following provisions of the *White Paper* adopted in 2007 by the Government of the Republic of Poland: *The Commission, in close cooperation with the Member States, will seek to develop a European statistical method for measuring the economic impact of sport as a basis for national statistics on sport, which could lead to the creation of a European satellite account for EU sport* (Tomaszewicz et al., 2010, pp. 9–10).

The European Parliament

In the European Parliament, the development of sport policy falls within the competence of the Committee on Culture and Education (CULT). The Parliament recognizes that there is a growing need for the EU to address sports issues in full respect of the principle of assistance to Member States, as sport is an important social phenomenon and a public good. The EU Parliament has powers in the fields of culture, education, audiovisual policy, youth and sport policy, and the development of sport and leisure policy (<http://www.europarl.europa.eu/factsheets/pl/sheet/143/sport> (5.02.2019)). On 14 April 2005, the European Parliament adopted a *Resolution on combating doping in sport*. The resolution stressed that the use of chemicals to enhance the ability to perform better in sport conflicts with the values of sport as a social, cultural and educational activity and called on the EU Member States and the European Commission to combat this phenomenon more effectively (<https://msit.gov.pl/pl/sport/uczciwosc-i-bezpieczens/antydoping/609.Unia-Europejska-a-doping-w-sporcie.html> (27.01.2019)). In relation to this problem, the European Parliament in its resolution referred, inter alia, to the following documents: *Declaration No. 29* on sport, annexed to the Amsterdam Treaty, and Article III-282 of the Treaty establishing a Constitution for Europe; *Resolution of 7 September 2000* on combating doping in sport (Official Journal, 2001a); Official Journal, 2000; Official Journal, 2001b), *World Anti-Doping Code* adopted on 5 March 2003 in Copenhagen; report of the Committee on Culture and Education of 29 November 2004 on: *The use of doping substances in sport – an obstacle to the realization of the sporting ideal*. The Members of the European Parliament instructed its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the governments of the acceding countries, the national and international sports federations, the International Federation for Equestrian Sports (FEI), the Council of Europe, the International Olympic Committee and the World Anti-Doping Agency (Official Journal of the European Union, 2006).

The European Commission

The European Commission consisted of Directorates-General. During the discussed period, the European Commission administratively consisted of 23 Directorates-General, i.e. equal to the number of Member States (Directorates-General consisted of Directorates, followed by three or four Departments). One of them was the Directorate-General for Education and Culture. The area of competence of the Directorate-General included the coordination of programs in the following fields: education and training, youth, culture, foreign languages, sport, civil society (http://ec.europa.eu/dgs/education_culture/index_en.htm (21.01.2019)). This Directorate includes the Sports Department, which was the most important partner of the Ministry of Sport in Poland, through which all information related to sport was obtained. The duties of the Sports Department also included cooperation with the European

Commission, external and national authorities and international organizations. The scope of the Commission's work included analyses of two key documents: the *White Paper on Sport* and the *Independent European Sport Review*. The *White Paper on Sport* was a document containing proposals for Community action in the field of sport. All sports institutions were able to comment on the objectives of this document. The meeting at which the impact of the European Union on the development of sport in Poland was discussed was held on 23 March 2007. Further consultations were planned for June 2007. As part of the work being undertaken, Commissioner Jan Figel (Poland) stressed the need for a legal basis for European sport. This statement was particularly important because it expressed the political will to strengthen the role of sport in Europe (Bulletin No. 1766/V, pos. No. 70). The *White Paper on Sport* was adopted by the European Commission on 11 July 2007 (<https://eur-lex.europa.eu/legal-content/PL/TXT/PDF/?uri=CELEX:52007DC0391&from=GA> (5.02.2019)). The following was communicated to the assembled: *The White Paper on Sport will not be a document that comprehensively covers sports issues. Its essence will be solely to demonstrate the political will, as well as the direction of future actions* (Bulletin No. 1766/V, pos. No. 70). The *White Paper on Sport* dealt with four main problems: 1) *The societal role of sport*; 2) *The economic dimension of sport*; 3) *The organization of sport*; 4) *Follow-up – Structured dialogue; Cooperation with Member States; Social dialogue* (<https://eur-lex.europa.eu/legal-content/PL/TXT/PDF/?uri=CELEX:52007DC0391&from=GA> (5.02.2019)). The second important document was the *Independent European Sport Review* drawn up in 2006. It was a response to the lack of sports regulations, which were not included in the Constitutional Treaty. The United Kingdom, as the country holding the Presidency in the second half of 2005, commissioned drawing up a report that would indicate to the EU institutions, governments and other entities involved in the organization of European sport how to implement the provisions on sport contained in the Nice Declaration, both at the European and national levels. José Luis Arnaut became President of the Commission. The report was discussed on the example of football, which was chosen as a discipline requiring the intervention of both governments and European institutions. The problems highlighted in the 2006 *Independent Review* included: ownership rights, control and management of clubs; legal issues such as club licenses, transfer of players, legal regulations regarding players' agents and their remuneration; corporate governance issues in football authorities; criminal activities around football, including money laundering and trafficking in young players; manifestations of racism and xenophobia, gambling and, in particular, the implications of match-fixing, corruption and illegal betting, as well as safety and security in stadiums (Żyśko, 2009b). Similar reports on handball, volleyball and basketball were to be produced in the future, depending on which Presidency would undertake such actions (Bulletin No. 1766/V, pos. No. 70). The above issues were discussed during the meetings of the Physical Culture and Sport Committee during the fifth term of office of the Sejm of the Republic of Poland (27.03.2007), chaired by Janusz Wójcik, MP. The Committee examined information on: *Sport in the structures of the European Union* and *European Union Programs for the development of sport*. With regard to the first issue, Polish parliamentarians were informed that there was a possibility of receiving subsidies from the European Parliament for the organization of sporting events. In 2006, the Directorate-General for Information announced a call for projects to raise awareness of the role of the European Parliament (EP) and its tasks. One of the points was the possibility of receiving a subsidy for the organization of events with a European dimension, i.e. fairs, exhibitions and sporting events. The planned subsidies could amount to between 15,000 and 250,000 euros, with projects to be implemented by 3 May 2007 (Bulletin No. 1766/V, pos. No. 70). With reference to the second issue: *European Union programs concerning the development of sport*, the members of the Polish Parliament acknowledged that the majority of the presented European Union programs did not concern solely

sport. Sport was part of general programs for education, culture and youth (Bulletin No. 1766/V, pos. No. 70). Anna Czyszczak, representative of the Ministry of Sport at the meeting of the Physical Culture and Sport Committee, acquainted the participants with five different EU programs:

1. The *EYES 2004* program has so far been of the greatest importance for European sport. Under this program thirteen Polish projects received subsidies totaling more than 456,000 euros. The idea behind it was to increase the awareness of educational and sports organizations concerning the need for cooperation for the development of education through sport. This concept raised great interest. The European Union co-financed 195 projects from 28 countries under this program.
2. *Norwegian Financial Mechanism* and *European Economic Area Financial Mechanism* programs did not concern solely sport, yet sport was funded from them. More than 533 million euros was allocated to Polish projects between 2004 and 2009 under these programs. As part of these initiatives, *Priority 5* was created, from which money could be allocated to sport. It was a project entitled *Healthcare and Childcare*. Its aim was to improve society's health conditions through, among others, health promotion and prevention programs, improving the quality of services in healthcare facilities, increasing accessibility and improving basic and specialist health care. All public and private institutions as well as non-governmental organizations could apply for financial assistance.
3. *Europe for Citizens* was a program operating in 2007–2013. The European Commission drew up a guide for this program. It created opportunities for co-financing sports projects, among others. The main objective of this program was to support the actions and organizations promoting active European citizenship. Organizations active in the field of amateur sport could apply for co-financing under this program. The program's budget for the period 2007–2013 was 215 million euros. The program was divided into four lines of action, each of which could provide funding for sport.
4. The program which made it possible to subsidize sport was a project concerning an integrated approach to lifestyle. This was the responsibility of the Directorate-General for Health and Consumer Protection. The total funding amounted to more than 33 million euros. It was crucial that the presented projects had an innovative character and the period of their implementation did not exceed three years.
5. *Athletes on the Labor Market* was a project that regarded solely sport. It was developed within the framework of the Equal Community Initiative. 'Development Partnership' was established in 2004 as part of this Initiative. The administrator of this project was the Polish Basketball Association, which together with five other entities developed and tested a system of career counselling for people ending their sports careers. In Poland, the project was carried out in two voivodeships: Masovian and Silesian, through a partnership of four nationwide sports associations, a consulting company and a foundation. The organizers planned to include 180 people in this project within two years. The project was addressed to people who had been professional athletes, but for various reasons were not able to continue their sporting careers (Bulletin No. 1766/V, pos. No. 70).

The European Court of Justice

Since sport in the European Union became an important topic and related issues were not regulated by Community law, a key role has been played by the case law of the European Court of Justice (ECJ). Following the case law regarding football player Jean-Marc Bosman in 1995, there were further cases clarifying the

principles of free movement of people working in sport. Due to the requirement to adapt the legal system to the *acquis communautaire* already in the pre-accession period, and at the same time due to the requirements of the International Federation of Association Football (FIFA) and the Union of European Football Associations (UEFA), resulting from the Commission's pressure on these institutions, Poland changed its legal system accordingly. The regulations abolishing transfer fees and quantitative limits of foreigners from Member States of the European Economic Area (EEA), previously defined by sports clubs, were implemented. After Poland became a member of the EU, Polish citizenship, due to its Community character, became attractive to players from outside the EU. After Poland's accession to the EU, which guaranteed freedom of movement and taking up employment on equal terms, Polish players started to go abroad on a much greater scale. The principle of non-discrimination also applied to the employment of other persons involved in sport – not only players, but also coaches. The process of their employment was facilitated by the system of mutual recognition of professional qualifications acquired in the EU Member States and European Free Trade Association (EFTA) countries (http://dms.msport.gov.pl/app/document/file/448/lista_pkt_Kontaktowych_IE.pdf?field=file1; Kałużyńska et al., 2009, p. 304). This system concerned the categories of regulated professions, which in sport include the following: coach, sport instructor, physical recreation instructor, wellness instructor, sport instructor for people with disabilities, as well as sport manager, with regard to individual sports disciplines and sporting events. Owing to these facilitations, sports clubs could afford to select the best coaches available on the labor market of the entire EU without any formal obstacles (http://msport.gov.pl/sport-w-unii-europej_skiej/360-Sport-w-strukturach-UE?retpag=/sport-w-unii-europejskiej (23.01.2019); Kałużyńska et al., 2009, p. 304).

Summary

Poland's membership in the EU since 2004 has created the conditions for the implementation of projects co-financed from the EU structural funds. During the fifth term of office between 2005 and 2007, the Parliament of the Republic of Poland, in cooperation with the Ministry of Sport and the Parliamentary Physical Culture and Sport Committee, drew up a plan for co-financing projects for the construction, extension or modernization of sports infrastructure under the EU structural programs and the INTERREG III A and EQUAL Community Initiatives (Kałużyńska et al., 2009, p. 304). Under the EU structural funds co-financing program (approximately 536 million Polish zlotys) for 2004–2006, 453 sports infrastructure projects were implemented, most of which were related to sports fields and stadiums (120), followed by sports centers and complexes (108), sports halls and gymnasiums (89), swimming pools (11) and other projects (110), e.g.: development around sports facilities or construction of climbing walls. The majority of the above-mentioned projects were implemented in rural and urban-rural areas. Thus, public access to sports facilities was increased. This provided children and youth with suitable conditions for the development of sports activities during physical education lessons, as well as in extracurricular activities in Student Sports Clubs (UKS), as an alternative form of spending free time, or in order to improve conditions for professional sport training. Apart from the construction of football pitches with artificial football surface in the West Pomeranian voivodeship, activities in the field of education and health of children and youth were also planned, as well as the implementation of a modern football training system (Name of the operational program: ZPORR). Sports undertakings could benefit from funding under EU programs. Those were, among others, *Youth in Action* (including the European Voluntary Service), *Europe for Citizens* (promoting active European citizenship, developing intercultural dialogue) and *Daphne I* and *Daphne II* [fight against violence] (Kałużyńska et al., 2009, p. 307). Increased access to

sports infrastructure enabled a wider group of people to engage in physical recreation and sport. In the discussed period, the number of persons who exercised increased from 8% (2000–2004) to 21% in 2004–2006. The most frequently practiced sport in sports clubs was football, where the number of persons exercising in 2004–2006 increased from 197,000 to 236,000. Volleyball, practiced by 173,000 persons in 2004 and 228,000 in 2006, enjoyed a comparable interest (Central Statistical Office, 2008, p. 277). Compared to the average of the 25 EU Member States, which was 38% for people practicing sport at least once a week (Eurobarometer, Citizens of European Union and sport. Special Eurobarometer 213, November 2004, p. 3) the declared physical activity of Poles with this frequency was at a slightly lower level (33%). Only 7% of adults practiced sports on a regular basis at that time (The World Health Organization (2002). In conclusion, it can be stated that the consequence of Poland's membership in the EU was the undertaking of activities related to the activation of local communities in the area of education and sport. Poland's membership in the EU so far has brought positive effects due to the increase in the availability of sport resulting from the development of regional infrastructure co-financed by EU funds and the enrichment of the program offer, through support for projects related to the organization of extracurricular sports activities for children and youth. The effects of the membership in the field of sport are still felt both by selected groups and the whole society (Kałużyńska et al., 2009, p. 308).

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