

The leitmotif of the research can be a statement by Aleksander Stępkowski that the phenomenon of abuse of law is as old as the law itself. It seems that the very structure of subjective right as an instrument of juridical description of the sphere of individual freedom, entails the danger of exercising this freedom in a manner that is unacceptable from the point of view of certain fundamental axiological guidelines of the social order. The human nature is not easily subjected to any form of normative "binds" and shows an almost innate tendency to avoid them, thus to "circumvent" them.

Although the concept of abuse of law is derived from civil law, it is stressed today that it is a common institution of law regardless of branch of law studied. Abuse of law also entered the area of public law, including administrative law.

Research to be carried out under the project is to systematize terminology in terms of the studied phenomena in the sphere of administrative law. The analysis of the existing legislation, scholarly opinion and case law, also in terms of comparative law, will show that the use of this structure in administrative law occurs in a very intuitive manner, referring essentially to the common dictionary-derived meaning of the word "abuse", without taking into account that it is a term of legal language and should have specific ranges of application and established scopes of meaning.

The second objective of the research will be to answer the question about the place of this structure in the area of administrative law. The fact that this structure appears in jurisprudence and science of administrative law does not necessarily lead to its automatic acceptance – one needs to examine whether reception of this structure derived from civil law, has a firm basis in fundamental principles of administrative law - especially in the context of the principles of legality and the rule of law.

As part of this research, it is also necessary to answer the question whether it is reasonable to use this structure in administrative law - whether it introduces new quality that cannot be achieved by the use of other structures formed within this branch of law. In particular, one needs to consider whether this concept provides a new tool to be used by administrative courts to review the legality of administrative activities, and whether it can be an instrument to better balance the public interest and the interests of individuals in the practice of administrative law.

Solving the problems given as research objectives of the project should be a significant contribution to legal sciences, particularly administrative law, primarily in Poland, because this problem was not previously more widely analysed by Polish scholars. Given the comprehensive nature of the analysis, conclusions from it may be an original contribution to the science of administrative law, also on a scale falling beyond the Polish scholarly opinion.

The "added value" of the project is terminological systematization and comprehensive assessment of the applicability of the concept of abuse of law in administrative law and benefits from this.