
SUMMARY

The subject of the publication is analysis – with consideration of comparative background – of legal regulations concerning protection of public good (public property), which is the subject of interest of European countries' legislators, including national legislator. In economic and legal areas, there coexist in Europe different and at varying intensities regulatory methods (of public and private nature) of management of state property and representation of state interests (State Treasury) in the procedural sphere.

The purpose of the analysis is the legal evaluation of Attorney General's Office as a legal representative (institutional) of the state (State Treasury) in the procedural sphere, including answering the question whether in times of Europeanization national model of representation and protection of state property meets the requirements of effective action.

Presentation of the institution of Attorney General's Office of the Republic of Poland as a legal and procedural representative has required investigation of legal nature of Attorney General's Office, including presentation of historic and comparative background, as well as the concept of Attorney General's Office of the Republic of Poland *de lege lata* with emphasizing new features of that institution in comparison with its predecessors. Legal nature of State Treasury (fiscus) and its relations with Attorney General's Office of the Republic of Poland have been investigated because between Attorney General's Office and the institution of State Treasury there exist a feedback. The concept of State Treasury has been analyzed on the ground of Civil Code (art. 33) and special statutes. It is of utmost importance in this respect to answer the question about the legitimacy (correctness) of the concept of State Treasury, generally treated in the doctrine as a legal entity of private law, whose representative in judicial and legislative area is Attorney General's Office as a legal advisor and institutional as well procedural legal representative.

The analysis has allowed to verify the research hypothesis positively. Introductory dogmatic evaluation of the concept of State Treasury and Attorney General's Office of the Republic of Poland as an institutional and procedural representative (state advocate) with not only procedural representative functions but also consultative and advisory ones deserve approval, in particular in the area of effective realization of legal protection of the state and its property in legal

trading. Attorney General's Office of the Republic of Poland, in accordance with tradition and origins of that institution, may represent the state in legal trading as a legal representative, give advice and protect all its property, at the same time doing it in a transparent and effective way, similarly to other European states (e.g. in Austria).