

**Decree of the Polish Committee for National Liberation
of 30 October 1944
on the protection of the State.
(Journal of Laws 1944 No. 10, item 50)**

Pursuant to the Law of the State National Council of 15 August 1944 on the provisional procedure for issuing decree-laws (Journal of Laws of the Republic of Poland, No. 1, item 3), the Polish Committee for National Liberation resolves, and the Praesidium of the State National Council approves, as follows:

Article 1.

Whosoever founds an association with the aim of overthrowing the democratic system of the Polish State, or whosoever participates in such an association, or directs it, or supplies it with weapons, or otherwise provides it with assistance, shall be liable to a penalty of imprisonment or death.

[keywords: coup, armed association, leading an armed association]

Article 2.

Whosoever prevents or hinders the implementation of the agrarian reform, or incites acts directed against its implementation or publicly commends such acts, shall be liable to a penalty of imprisonment or death.

[keywords: land reform]

Article 3.

Whosoever commits a violent attack on:

- a) a state or local government body or on a person who cooperates with such a body,
- b) a unit of the Polish Armed Forces or Allied Forces or a member of their personnel,
- c) establishments, facilities or transport of public or military use,

shall be liable to a penalty of imprisonment or death.

[keywords: violent assault, state authority, army]

Article 4.

(1) Whosoever, in time of war:

- a) without a legal permit from the authorities, manufactures, stores, acquires or disposes of weapons, ammunition, an explosive material or device, or any other object capable of causing a public danger,

- b) causes a danger of a disaster in traffic or other public danger,
- c) makes preparations or arranges with other persons to commit the offence referred to in paragraph b),
- d) knowing of the danger provided for in paragraph b), obstructs an action aimed to prevent it, shall be liable to a penalty of imprisonment or death.

(2) The offences provided for in (1) (d) shall be subject *mutatis mutandis* to the provisions of Article 219 § 2 and Article 220 of the Penal Code of 11 July 1932 (Journal of Laws of the Republic of Poland, No. 60, item 571).

[keywords: transfer of arms, traffic disaster, preparation, complicity]

Article 5.

Whoever, in time of war, commits acts of sabotage by:

- a) damaging or destroying objects or devices that serve the public use or defence of the Polish State or an Allied State,
 - b) preventing or obstructing the proper functioning of state or local government bodies, production establishments or public service institutions,
 - c) manufacturing completely or substantially unfit objects for public or military use,
- shall be liable to a penalty of imprisonment or death.

[keywords: sabotage]

Article 6.

Whoever, in time of war, manufactures, stores, acquires or disposes of a radio, transmitting or receiving apparatus without a legal permit from the authorities, shall be liable to a penalty of imprisonment or death.

[keywords: unauthorised trade in a radio]

Article 7.

Whoever, by violence or threat, exerts influence on or obstructs actions of national councils, the Polish Committee for National Liberation, courts or state or local government bodies, shall be liable to a penalty of imprisonment or death.

[keywords: violence, threat]

Article 8.

Whoever, in time of war, founds an association with the aim to commit an offence, or an association whose existence, organisation or purpose is intended to be kept secret from the state authorities, or whoever participates in, directs or assists such an association, shall be liable to a penalty of imprisonment or death.

[keywords: secret association]

Article 9.

Whosoever, in time of war, seizes another person's movable property by using violence or threatening to use immediate force on a person, or by rendering a person unconscious or defenceless, shall be liable to a penalty of imprisonment or death.

[keywords: robbery]

Article 10.

Whosoever, in time of war, evades the obligation to provide performance in person or in kind, or prevents or hinders the fulfilment of such an obligation, shall be liable to imprisonment or death.

[keywords: evasion of duty]

Article 11.

Whosoever, possessing reliable information on the offences referred to in Articles 1–10 of this Decree, or on preparations to commit them, refrains from reporting it in time to the authorities, shall be liable to a penalty of imprisonment or death.

[keywords: omission to report a crime]

Article 12.

In the event of a conviction for the offences provided for in Articles 1–11 of this Decree, the loss of public rights and honorary civic rights shall also be adjudged.

[keywords: loss of public rights, loss of civil rights of honour loss of public rights, loss of honorary civil rights]

Article 13.

In the event of a conviction to death, the court shall adjudge forfeiture of property in its entirety. In other cases, the court may adjudge forfeiture of property either in part or entirety.

[keywords: forfeiture of assets]

Article 14.

In time of war, the provisions of Articles 85–99 and Articles 101–103 (crimes against the State) of the Penal Code of the Polish Army shall apply also to persons who are subject to criminal liability under the provisions of the general Penal Code.

[keywords: Penal Code of the Polish Army]

Article 15.

Unless the provisions of this Decree provide otherwise, the provisions of the General Part of the Penal Code of the Polish Army shall apply to the offences provided for in this Decree.

[keywords: Penal Code of the Polish Army]

Article 16.

(1) Military courts shall have jurisdiction to hear cases of the offences covered by this Decree and the offences listed in Articles 85—99 and Articles 101—103 (crimes against the State) of the Penal Code of the Polish Army.

(2) Unless proceedings are instituted by a military prosecutor, investigation of the cases mentioned in (1) shall be the responsibility of public security bodies.

(3) Upon completion of their investigation, the public security bodies shall forward the case files to the military prosecutor of appropriate jurisdiction.

[keywords: judicial jurisdiction, military courts, public security bodies]

Article 17.

The implementation of this Decree shall be entrusted to the Heads of Ministries of: National Defence and Public Security.

[keywords: delegation]

Article 18.

This Decree shall enter into force on the date of its promulgation with effect from 15 August 1944.

[keywords: *vacatio legis*]

President of the State National Council:
Bolesław Bierut

President of the Polish Committee for National Liberation:
Edward Osóbka-Morawski

Head of the Ministry of National Defence:
Michał Rola-Żymierski, Lieutenant General

Head of the Ministry of Public Security:
Stanisław Radkiewicz