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Summary of the doctoral dissertation entitled "*Use of the form of an administrative decision regarding the dismissal of a soldier from professional military service*", prepared under the scientific supervision of prof. Ph.D. Mirosław Karpiuk

The aim of this doctoral dissertation is to analyze the provisions regarding the exemption of a professional soldier from professional military service contained in the Act on the Defense of the Homeland by identifying legal instruments enabling the termination of the service relationship of a professional soldier in an optional and obligatory mode. The formulated research problem together with detailed problems made it possible to build a research hypothesis, and the result of the doctoral thesis is its verification and confirmation.

The justification for taking up the topic of the issue is the entry into force of a new pragmatic act regarding professional soldiers – the Act on the Defense of the Homeland, which quite significantly changed the regulations regarding the performance of professional military service, and, as a direct result, also provisions regarding the exemption of a soldier from professional military service.

The main research problem was to answer the question whether the legal solutions relating to the exemption of a soldier from professional military service in the form of an administrative decision contained in the Act on the Defense of the Homeland, both in terms of their statutory form and practical application, are sufficient and do not require changes. The research problem together with the detailed problems made it possible to formulate and verify the research hypothesis assuming that the legal solutions contained in the Act on the Defense of the Homeland regarding obligatory and optional reasons for dismissing a soldier from professional military service are comprehensive and adequately protect the soldier's service relationship.

Various cognitive methods were used in the doctoral thesis, among which the most useful were: formal-dogmatic, historical-legal, statistical research and case law analysis.

The formal-dogmatic method consisted in direct analysis of source documents, examination of specialized literature on the subject, and linguistic analysis of legal texts relating to the formulated research problem. The basic legal act analyzed was the Act on the Defense of the Homeland and its executive acts, but also, for example, the provisions of the Penal Code and a number of other detailed legal acts.

The formal-dogmatic method was supplemented by the historical-legal method. This method was used to discuss changes in legislation, and specifically to indicate the grounds for exemption contained in the Act on the military service of professional soldiers.

Taking into account the main research problem, which is the analysis of the comprehensiveness of the legal conditions for obligatory and optional exemptions from professional military service, it was decided that it would be advisable to also use the statistical method. By using this research method, statistical data was obtained on the release of soldiers from professional military service in 2019-2021 on the example of a tactical association - the 16th Pomeranian Mechanized Division.

An important element of the work was also the analysis of case law. The judgments of the Supreme Administrative Court and Provincial Administrative Courts were analyzed. The judgments of the Constitutional Tribunal, the Supreme Court, District Courts and Courts of Appeal were also examined to a narrower extent.

The work contains an introduction, conclusion and is divided into five chapters. The first chapter of the work is intended to introduce issues related to professional military service. It discusses the service relationship of a soldier, which is the starting point for considerations regarding the release of a soldier from professional military service. The second chapter analyzes the obligatory reasons for dismissal from professional military service. The third chapter is devoted to optional reasons for dismissal from professional military service. The fourth chapter presents data on the release of soldiers from professional military service in the 16th Pomeranian Mechanized Division in 2019-2021. The reasons for dismissal were analyzed, divided into the military units included in it. Chapter five discusses the legal regulations regarding the subject matter included in the Act on the Military Service of Professional Soldiers, which are not reflected in the Act on Homeland Defense. At the end of the work, a final analysis of the topic was made in the context of the research hypothesis.

Keywords: Act on the Defense of the Homeland, professional military service, obligatory dismissal, optional dismissal, administrative decision