

**Annex No 1 to Draft 4th Report to the Secretary General of the Council of Europe on the
Implementation of the Framework Convention for the Protection of National Minorities by
the Republic of Poland**

Legal status as of 31 December 2016

[Table of contents](#)

<i>EXTRACTS FROM KEY LEGISLATION ON THE RIGHTS OF NATIONAL MINORITIES</i>	4
<i>IN THE REPUBLIC OF POLAND</i>	4
CONSTITUTION OF THE REPUBLIC OF POLAND of 2 April 1997 (Journal of Laws No 78, item 483, as amended).....	4
Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended)	8
<i>PROVISIONS ON PARTICIPATION IN PUBLIC LIFE</i>	10
Act of 17 May 1989 on the guarantees of freedom of conscience and religion (Journal of Laws of 2005, No 231, item 1965, as amended).....	10
Act of 7 April 1989 Law on Associations (Journal of Laws of 2015, item 1393, as amended).....	12
Act of 27 June 1997 on political parties (Journal of Laws of 2011, No 155, item 924).....	13
Act of 5 January 2011 – Election Code (Journal of Laws No 21, item 112, as amended)	13
Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended).....	13
Act of 29 August 1997 on personal data protection (Journal of Laws of 2016, item 922)	17
Act of 4 March 2010 on the national census of population and housing in 2011 (Journal of Laws No 47, item 277).....	18
Act of 3 December 2010 on the implementation of certain European Union provisions on equal treatment (Journal of Laws of 2016, item 1219)	20
Regulation of the Ministers of Labour and Social Policy and of National Education of 11 March 1999 on days off work or school for persons belonging to churches and other religious associations for celebrating religious holidays other than public holidays (Journal of Laws No 26, item 235)	21
<i>PROVISIONS ON LANGUAGE</i>	22
Act of 7 October 1999 on the Polish language (Journal of Laws of 2011, No 43, item 224, as amended).22	
Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended)	22
Regulation of the Minister of the Interior and Administration of 30 May 2005 on transliteration of forenames and surnames of persons belonging to national and ethnic minorities, written down in an alphabet other than the Roman alphabet (Journal of Laws No 102, item 855)	27
Regulation of the Minister of the Interior and Administration of 30 May 2005 on the Official Register of Communes where supporting language is used (Journal of Laws No 102, item 856).....	39

Regulation of the Minister of the Interior and Administration of 30 May 2005 on the Register of Communes where place names in the minority language are used, sample applications for entering a commune in the Register and for establishing an additional name of a locality or physiographic object in a national or ethnic minority language or in a regional language (Journal of Laws of 2014, item 1486).....	41
Regulation of the Minister of Infrastructure of 10 August 2005 on placing additional names in national and ethnic minority languages or in the regional language on signs and boards (Journal of Laws No 157, item 1320).....	47
Regulation of the Minister of the Interior and Administration of 16 June 2005 on diplomas, documents or certificates confirming the knowledge of supporting language (Journal of Laws No 119, item 1013).....	48
Regulation of the Minister of the Interior and Administration of 18 March 2002 on cases in which names and texts in Polish may be accompanied by versions translated into foreign languages (Journal of Laws No 37, item 349, as amended).....	50
Act of 17 October 2008 on changing forenames and surnames (Journal of Laws of 2016, item 10).....	52
Act of 29 August 2003 on official names of localities and physiographic objects (Journal of Laws, No 166, item 1612, as amended)	57
Act of 17 July 2001 – Law on the system of common courts (Journal of Laws of 2016, item 2062)	58
<i>PROVISIONS ON CULTURE</i>	59
Act of 29 December 1992 on radio and television broadcasting (Journal of Laws of 2016, item 639, as amended).....	59
Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended)	60
<i>PROVISIONS ON EDUCATION</i>	61
Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended)	61
Act of 7 September 1991 on the school education system (Journal of Laws of 2004, No 256, item 2572, as amended)	61
Regulation of the Minister of National Education of 14 November 2007 on the conditions and manner of performance by preschools, schools and public educational institutions of tasks supporting national, ethnic and linguistic identity of students from national and ethnic minorities and the community using the regional language (Journal of Laws of 2014, item 263).....	63
Regulation of the Minister of National Education of 14 April 1992 on the conditions and method of organisation of religious education in public preschools and schools (Journal of Laws, No 36, item 155, as amended)	70
Regulation of the Minister of National Education of 22 December 2015 r. on the principles of distribution of the educational part of the general subvention for local government units in 2016 (Journal of Laws of 2015, item 2294).....	74
<i>PROVISIONS FROM CODES</i>	87
Act of 23 April 1964 Civil Code (Journal of Laws of 2016, item 380, as amended)	87
Act of 17 November 1964 r. Code of Civil Procedure (Journal of Laws of 2016, item 1822)	87
Act of 6 June 1997 Criminal Code (Journal of Laws of 2016, item 1137).	87
Act of 6 June 1997 Code of Criminal Procedure (Journal of Laws of 2016, item 1749).....	90

Act of 14 June 1960 Code of Administrative Procedure (Journal of Laws of 2016, item 23)	90
Act of 26 June 1974 Labour Code (Journal of Laws of 2016, item 1666).....	91
<i>REGULATIONS CONTAINED IN BILATERAL AGREEMENTS</i>	93
AGREEMENTS CONCLUDED WITH THE REPUBLIC OF BELARUS.....	93
AGREEMENTS ENTERED INTO WITH THE CZECH AND SLOVAK FEDERATION REPUBLIC (APPLYING TO RELATIONS WITH BOTH THE CZECH REPUBLIC AND THE SLOVAK REPUBLIC).....	100
AGREEMENTS ENTERED INTO WITH THE SLOVAK REPUBLIC.....	101
AGREEMENTS ENTERED INTO WITH THE CZECH REPUBLIC.....	102
AGREEMENTS ENTERED INTO WITH THE REPUBLIC OF LITHUANIA	103
AGREEMENTS ENTERED INTO WITH THE FEDERAL REPUBLIC OF GERMANY.....	105
AGREEMENTS ENTERED INTO WITH THE RUSSIAN FEDERATION	110
AGREEMENTS ENTERED INTO WITH THE REPUBLIC OF UKRAINE	114

Polish legislation specifies in detail the rights of national minorities. All provisions of the Framework Convention for the Protection of National Minorities are reflected in the *Constitution of the Republic of Poland*, international agreements ratified by Poland, and Polish legislation.

The most important rights of national and ethnic minorities are regulated by the following provisions:

- freedom to maintain and develop their own language – Article 35(1) of the *Constitution of the Republic of Poland* of 2 April 1997 (Journal of Laws No 78, item 483, as amended), Article 8 and Chapter 4 of the Act of 6 January 2005 *on national and ethnic minorities and on the regional language* (Journal of Laws of 2015, item 573, as amended);
- freedom to maintain customs and traditions, and to develop their own culture – Article 35(1) of the *Constitution*, Articles 1–7 of the Act of 17 May 1989 *on the guarantees of freedom of conscience and religion* (Journal of Laws of 2005, No 231, item 1965, as amended), Chapter 3 of the Act *on national and ethnic minorities and on the regional language*;
- right to establish educational and cultural institutions, as well as institutions designed to protect religious identity – Article 35(2) of the *Constitution*, Article 13 of the Act of 7 September 1991 *on the school education system* (Journal of Laws of 2004, No 256, item 2572, as amended), the Act *on the guarantees of freedom of conscience and religion*;
- right to participate in the resolution of matters connected with their national identity – Article 35(2) of the *Constitution*; Articles 23–30 of the Act *on national and ethnic minorities and on the regional language*;
- right to use freely their minority language in private and public life – Article 27 of the *Constitution*, Article 2 of the Act of 7 October 1999 *on the Polish language* (Journal of Laws of 2011, No 43, item 224, as amended), Chapter 2 of the Act *on national and ethnic minorities and on the regional language*;
- right to spell their first and last names according to the spelling rules of their respective minority language – Article 7 of the Act *on national and ethnic minorities and on the regional language*;

- right of access to the public media – Article 54 of the *Constitution*, Article 21(2)(9) of the *Act on radio and television broadcasting* (Journal of Laws of 2011, No 43, item 226);
- right to unrestrained religious practices – Article 53 of the *Constitution*, the *Act on the guarantees of freedom of conscience and religion*;
- right to unrestricted contact with compatriots both at home and abroad – bilateral treaties with: the Federal Republic of Germany, Ukraine, the Republic of Belarus and the Republic of Lithuania;
- prohibition of discrimination and existence of organisations whose programmes or activities sanction hate based on race and/or nationality – Articles 13 and 32 of the *Constitution*, Article 6 of the *Act on the guarantees of freedom of conscience and religion*, Articles 119, 256, 257 of the Act of 6 June 1997; *Criminal Code* (Journal of Laws of 2016, item 1137, as amended), Articles 5 and 6 of the *Act on national and ethnic minorities and on the regional language*, Chapter 2 of the Act of 3 December 2010 *on the implementation of certain European Union provisions on equal treatment* (Journal of Laws of 2016, item 1219);
- election privileges for the election committees of minority organisations – Article 197 of the Act of 5 January 2011 – *Election Code* (Journal of Laws No 21, item 112, as amended);
- right of association – Article 58 of the *Constitution*, Article 1 of the Act – *Law on associations* (Journal of Laws of 2001, No 79, item 855, as amended).

**EXTRACTS FROM KEY LEGISLATION ON THE RIGHTS OF NATIONAL MINORITIES
IN THE REPUBLIC OF POLAND**

CONSTITUTION OF THE REPUBLIC OF POLAND of 2 April 1997 (Journal of Laws No 78, item 483, as amended)

Article 5

The Republic of Poland shall safeguard the independence and integrity of its territory and ensure the freedoms and rights of persons and citizens, the security of the citizens, safeguard the national heritage and shall ensure the protection of the natural environment pursuant to the principles of sustainable development.

Article 7

The organs of public authority shall function on the basis of, and within the limits of, the law.

Article 11

1. The Republic of Poland shall ensure freedom for the creation and functioning of political parties. Political parties shall be founded on the principle of voluntariness and upon the equality of Polish citizens, and their purpose shall be to influence the formulation of the policy of the State by democratic means.

2. The financing of political parties shall be open to public inspection.

Article 12

The Republic of Poland shall ensure freedom for the creation and functioning of trades unions, socio-occupational organisations of farmers, societies, citizens' movements, other voluntary associations and foundations.

Article 13

Political parties and other organisations whose programmes are based upon totalitarian methods and the modes of activity of nazism, fascism and communism, as well as those whose programmes or activities sanction racial or national hatred, the application of violence for the purpose of obtaining power or to influence the State policy, or provide for the secrecy of their own structure or membership, shall be forbidden.

Article 25.

1. Churches and other religious organisations shall have equal rights.

2. Public authorities in the Republic of Poland shall be impartial in matters of personal conviction, whether religious or philosophical, or in relation to outlooks on life, and shall ensure their freedom of expression within public life.

3. The relationship between the State, churches and other religious organisations shall be based on the principle of respect for their autonomy and the mutual independence of each in its own sphere, as well as on the principle of cooperation for the individual and the common good.

4. The relations between the Republic of Poland and the Roman Catholic Church shall be determined by international treaty concluded with the Holy See, and by statute.

5. The relations between the Republic of Poland and other churches and religious organisations shall be determined by statutes adopted pursuant to agreements concluded between their appropriate representatives and the Council of Ministers.

Article 27

Polish shall be the official language in the Republic of Poland. This provision shall not infringe upon national minority rights resulting from ratified international agreements.

Article 31

1. Freedom of the person shall receive legal protection.

2. Everyone shall respect the freedoms and rights of others. No one shall be compelled to do that which is not required by law.

3. Any limitation upon the exercise of constitutional freedoms and rights may be imposed only by statute, and only when necessary in a democratic state for the protection of its security or public order, or to protect the natural environment, health or public morals, or the freedoms and rights of other persons. Such limitations shall not violate the essence of freedoms and rights.

Article 32

1. All persons shall be equal before the law. All persons shall have the right to equal treatment by public authorities.
2. No one shall be discriminated against in political, social or economic life for any reason whatsoever.

Article 35

1. The Republic of Poland shall ensure Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture.
2. National and ethnic minorities shall have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity.

Article 52

1. Freedom of movement as well as the choice of place of residence and sojourn within the territory of the Republic of Poland shall be ensured to everyone.
2. Everyone may freely leave the territory of the Republic of Poland.

Article 53

1. Freedom of faith and religion shall be ensured to everyone.
2. Freedom of religion shall include the freedom to profess or to accept a religion by personal choice as well as to manifest such religion, either individually or collectively, publicly or privately, by worshipping, praying, participating in ceremonies, performing of rites or teaching. Freedom of religion shall also include possession of sanctuaries and other places of worship for the satisfaction of the needs of believers as well as the right of individuals, wherever they may be, to benefit from religious services.
3. Parents shall have the right to ensure their children a moral and religious upbringing and teaching in accordance with their convictions. The provisions of Article 48(1) shall apply as appropriate.
4. The religion of a church or other legally recognised religious organization may be taught in schools, but other people's freedom of religion and conscience shall not be infringed thereby.
5. The freedom to publicly express religion may be limited only by means of statute and only where this is necessary for the defence of State security, public order, health, morals or the freedoms and rights of others.
6. No one shall be compelled to participate or not participate in religious practices.
7. No one may be compelled by organs of public authority to disclose his philosophy of life, religious conviction.

Article 54

1. The freedom to express opinions, to acquire and to disseminate information shall be ensured to everyone.
2. Preventive censorship of the means of social communication and the licensing of the press shall be forbidden. Statutes may require the receipt of a permit for the operation of a radio or television station.

Article 57

The freedom of peaceful assembly and participation in such assemblies shall be ensured to everyone. Limitations upon such freedoms may be imposed by statute.

Article 58

1. The freedom of association shall be guaranteed to everyone.
2. Associations whose purposes or activities are contrary to the Constitution or statutes shall be prohibited. The courts shall adjudicate whether to permit an association to register or to prohibit an association from such activities.
3. Statutes shall specify types of associations requiring court registration, a procedure for such registration and the forms of supervision of such associations.

Article 60

Polish citizens enjoying full public rights shall have a right of access to the public service based on the principle of equality.

Article 70

1. Everyone shall have the right to education. Education until the age of 18 shall be compulsory. The manner of fulfilment of schooling obligations shall be specified by statute.
2. Education in public schools shall be without payment. Statutes may allow for payments for certain services provided by public institutions of higher education.
3. Parents shall have the right to choose schools other than public for their children. Citizens and institutions shall have the right to establish primary and secondary schools and institutions of higher education and educational development institutions. The conditions for establishing and operating non-public schools, the participation of public authorities in their financing, as well as the principles of educational supervision of such schools and educational development institutions, shall be specified by statute.
4. Public authorities shall ensure universal and equal access to education for citizens. To this end, they shall establish and support systems for individual financial and organizational assistance to pupils and students.

The conditions for providing of such assistance shall be specified by statute.

5. The autonomy of the institutions of higher education shall be ensured in accordance with principles specified by statute.

Article 79

1. In accordance with principles specified by statute, everyone whose constitutional freedoms or rights have been infringed, shall have the right to appeal to the Constitutional Tribunal for its judgment on the conformity to the Constitution of a statute or another normative act upon which basis a court or organ of public administration has made a final decision on his freedoms or rights or on his obligations specified in the Constitution.

Article 80

In accordance with principles specified by statute, everyone shall have the right to apply to the Commissioner for Citizens' Rights for assistance in protection of their freedoms or rights infringed by organs of public authority.

Article 87

1. The sources of generally applicable law of the Republic of Poland shall be: the Constitution, statutes, ratified international agreements, and regulations.
2. Enactments of local law issued by the operation of organs shall be a source of universally binding law of the Republic of Poland in the territory of the organ issuing such enactments.

Article 91

1. After promulgation thereof in the Journal of Laws of the Republic of Poland (*Dziennik Ustaw*), a ratified international agreement shall constitute part of the domestic legal order and shall be applied directly, unless its application depends on the enactment of a statute.
2. An international agreement ratified upon prior consent granted by statute shall have precedence over statutes if such an agreement cannot be reconciled with the provisions of such statutes.
3. If an agreement, ratified by the Republic of Poland, establishing an international organisation so provides, the laws established by it shall be applied directly and have precedence in the event of a conflict of laws.

Article 208

1. The Commissioner for Citizens' Rights shall safeguard the freedoms and rights of persons and citizens specified in the Constitution and other normative acts.
2. The scope and mode of work of the Commissioner for Citizens' Rights shall be specified by statute.

Article 213

1. The National Council of Radio Broadcasting and Television shall safeguard the freedom of speech, the right to information as well as safeguard the public interest regarding radio broadcasting and television.

Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended)

Chapter 1

General provisions

Article 1

This Act shall regulate the issues connected with the maintenance and development of the respective cultural identity of national and ethnic minorities, the preservation and development of the regional language, civic and social integration of persons belonging to national and ethnic minorities and the observance of the principle of equal treatment of individuals irrespective of their ethnic origin; it shall

also define the tasks and competence of government administration agencies and local government units in this regard.

Article 2

1. A national minority, as defined by this Act, shall be a group of Polish citizens who jointly meet the following conditions:

- 1) is numerically smaller than the rest of the population of the Republic of Poland;
- 2) significantly differs from the remaining citizens in its language, culture or tradition;
- 3) strives to preserve its language, culture or tradition;
- 4) is aware of its own historical, national community, and is oriented towards its expression and protection;
- 5) its ancestors have been living on the present territory of the Republic of Poland for at least one hundred years; 6) identifies with a nation organised in its own state.

2. The following minorities shall be recognized as national minorities:

- 1) Belarusian;
- 2) Czech;
- 3) Lithuanian;
- 4) German;
- 5) Armenian;
- 6) Russian;
- 7) Slovak;
- 8) Ukrainian; 9) Jewish.

3. An ethnic minority, as defined by this Act, shall be a group of Polish citizens who jointly meet the following conditions:

- 1) is numerically smaller than the rest of the population of the Republic of Poland;
- 2) significantly differs from the remaining citizens in its language, culture or tradition;
- 3) strives to preserve its language, culture or tradition;
- 4) is aware of its own historical, ethnic community, and is oriented towards its expression and protection;
- 5) its ancestors have been living on the present territory of the Republic of Poland for at least one hundred years; 6) does not identify with a nation organised in its own state.

4. The following minorities shall be recognized as ethnic minorities:

- 1) the Karaim;
- 2) the Lemko;
- 3) the Roma;
- 4) the Tartar.

Article 3

Whenever the Act makes reference to:

- 1) minorities, these shall be construed as national and ethnic minorities referred to in Article 2;
- 2) a minority language, it shall be construed as a language unique to the national or ethnic minority referred to in Article 2.

Article 4

1. Every person belonging to a minority shall have the right to freely decide about whether they wish to be treated as a person belonging to a minority or not, and not have that choice or the exercise of rights it carries entail any adverse effects.
2. No one shall be obliged, except by virtue of an Act, to disclose information about their affiliation with any particular minority, or to disclose their origin, minority language or religion.
3. No one shall be obliged to prove their affiliation with any particular minority.
4. Persons belonging to a minority may enjoy the rights and freedoms stemming from the principles set forth in this Act, both individually and collectively with other members of that minority.

Article 5

1. The use of measures aimed to assimilate people belonging to a minority shall be prohibited if such measures are used against their will.
2. The use of measures aimed to change national or ethnic proportions on the territories populated by minorities shall be prohibited.

Article 6

1. Discrimination on account of minority affiliations shall be prohibited.
2. Public authorities shall be obliged to take appropriate measures in order to:
 - 1) foster full and real equality in the sphere of economic, social, political and cultural life between persons belonging to a minority and the majority of the population;
 - 2) protect persons who are facing discrimination, hostility or violence because of being part of a minority;
 - 3) reinforce intercultural dialogue.

PROVISIONS ON PARTICIPATION IN PUBLIC LIFE

**Act of 17 May 1989 on the guarantees of freedom of conscience and religion
(Journal of Laws of 2005, No 231, item 1965, as amended)**

Article 1

1. The Republic of Poland shall ensure that every citizen is afforded the freedom of conscience and religion.
2. The freedom of conscience and religion shall include the freedom to choose one's religion or convictions and express them individually and collectively, in private and in public.
3. Citizens who practice all religious denominations as well as those who are not believers shall enjoy equal rights in state, political, economic, social and cultural life.

Article 2

When exercising their freedom of conscience and religion, citizens may, in particular:

- 1) establish religious congregations hereinafter referred to as “churches and other religious associations”, established for the purpose of practising and propagating religious faith, possessing their own system, doctrine and religious rituals,
- 2) participate in religious practices and rituals in accordance with the principles of their religion,
fulfil their religious obligations and celebrate religious holidays,
- 2a) Belong (or not) to churches and other religious associations,
- 3) profess their religion or faith
- 4) raise children in accordance with their religious beliefs
- 5) keep silent in matters having to do with their religion or convictions,
- 6) maintain contacts with coreligionists, which includes participation in the work of international religious organisations,
- 7) use sources of information concerning religion,
- 8) manufacture, purchase and make use of objects required for religious worship and rituals,
- 9) manufacture, purchase and own objects required observe the tenets of their religion,
- 10) choose the clerical or monastic state,
- 11) become members of secular organisations for the purpose of carrying out tasks resulting from the practised religion or religious beliefs,
- 12) receive a burial that is in accordance with the burial rites practised in their religion or corresponds to their religious beliefs.

Article 3

1. Outside manifestation, individual or collective, of their religion or belief may be subject only to statutory limitations necessary for the protection of public security, public order, health or morals or the fundamental rights and freedoms of others.
2. Enjoyment of the freedom of conscience and religion cannot lead to evading the performance of public obligations imposed by the Acts.
3. Citizens may, on the grounds of their religious beliefs and moral principles, apply to be delegated to perform alternative civilian service, on the conditions specified in the Act of 28 November 2003 on alternative civilian service (Journal of Laws No 223, item 2217 and of 2005 No 180, item 1496).

Article 4

1. The right referred to in Article 2(2) and the right to own and use objects required for practising religious worship and engaging in religious practices shall also be granted to persons:
 - 1) doing their military service or conscript military service in civil defence forces,

- 2) staying in health care institutions (1) and social care institutions (2) and children and youth staying in domestic camps organised by state institutions,
 - 3) staying in penal institutions, correctional institutions and educational institutions, as well as in custody pending inquiry, social adaptation centres (3) and care centres for minors.
2. The method of exercising the rights specified in Paragraph 1 is regulated in separate Acts and regulations issued on the basis thereof.

Article 5

Citizens have the right to freely make donations for churches and other religious associations and charitable institutions and care centres.

Article 6

1. No one shall be discriminated against or privileged on grounds of religion or religious beliefs.
2. Citizens may not be forcibly prohibited from participating in religious practices or rites or forced to take part in them.

Article 7

1. Foreigners staying on the territory of the Republic of Poland may enjoy the freedom of conscience and faith equally with Polish citizens.
2. The provision of Paragraph 1 shall apply to stateless persons accordingly.

Article 42

1. Persons belonging to churches and other religious associations whose religious holidays are not public holidays, may, at their own request, be granted days off from work or school for the period of celebration of such holidays, in accordance with the requirements of their religion.
2. Minors may enjoy the right, referred to in Paragraph 1, at the request of their parents or legal guardians.
3. Days off from work or school, referred to in Paragraph 1 and 2, may be granted provided the time of absence is made up for without additional compensation for work on public holidays or in overtime hours.
4. The minister competent for labour policy and the minister competent for schooling and education, the minister competent for higher education in cooperation with the *minister competent for religious beliefs*⁽¹⁶⁾ shall, by way of a statute, specify detailed conditions of granting days off from work or school, referred to in Paragraphs 1 and 2.

Act of 7 April 1989 Law on Associations (Journal of Laws of 2015, item 1393, as amended)

Article 1

1. Polish citizens shall enjoy the right of membership associations, in accordance with the provisions of the Constitution and Acts.
2. In the scope of their statutory objectives, the associations may represent collective interests of their members against public authorities.
3. Associations have the right to express their opinion in public matters.

Act of 27 June 1997 on political parties (Journal of Laws of 2011, No 155, item 924)

Article 2

1. Citizens of the Republic of Poland who have attained the age of 18 may be members of political parties.
2. Prohibition of membership in political parties shall be specified in separate laws.

Act of 5 January 2011 – Election Code (Journal of Laws No 21, item 112, as amended)

Article 197

§ 1 Electoral committees created by constituents being members of registered organisations of national minorities may enjoy the right of exemption for the lists of these electoral committees from the condition specified in Article 196 (1), provided they submit a declaration in this respect to the State Election Commission, at the latest 5 days prior to holding the election. Apart from the declaration, referred to in the first sentence, the committee shall be obliged to submit a document issued by the competent statutory authority of the national minority organisation confirming the establishment of the committee by constituents being members of this organisation.

§ 2 The State Election Commission shall immediately acknowledge the receipt of the declaration referred to in § 1. The acknowledgement of the declaration shall be binding.

Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended)

Article 23

1. A Joint Commission of the Government and National and Ethnic Minorities shall be appointed as the Prime Minister's consultative body, hereafter called 'Joint Commission'.
2. The tasks of the Joint Commission shall include:
 - 1) expressing opinions on the exercise of minority rights and needs, including an assessment of the way these rights are exercised, and proposing actions to ensure the exercise of minority rights and needs;
 - 2) voicing opinions on programmes meant to serve conditions conducive to the maintenance and development of a minority's cultural identity, and the preservation and development of a regional language;
 - 3) voicing opinions on draft legal acts concerning minorities;
 - 4) voicing opinions on the amount and the principles of the distribution of the State budget funds allocated to the support for activities aimed at protection, maintenance and development of the cultural identity of minorities and at the preservation and development of a regional language;

5) taking measures to counteract discrimination against persons belonging to a minority.

3. In order to execute its tasks the Joint Commission shall:

- 1) cooperate with agencies of government administration and of local government, and with social organizations interested;
- 2) be free to seek the opinion, position, evaluation or information particularly from scientific institutions, centres and circles;
- 3) be free to seek cooperation of representatives of local government units, social organizations and scientific circles.

Article 24

1. The Joint Commission shall consist of:

1) representatives of government administration agencies:

- a) minister competent for religious denominations and national and ethnic minorities,
 - b) minister competent for public administration,
 - c) minister competent for culture and protection of national legacy,
 - d) minister competent for education,
 - e) minister competent for public finance,
 - f) minister competent for labour,
 - g) Minister of Justice,
 - h) minister competent for internal affairs,
 - i) minister competent for social security,
 - j) minister competent for foreign affairs,
 - k) President of Statistics Poland,
 - l) Council for Preservation of Monuments to Struggle and Martyrdom,
 - m) Head of the Chancellery of the Prime Minister;
- 2) representatives of minorities

comprising:

- a) two representatives of the Belarusian minority,
- b) one representative of the Czech minority,
- c) two representatives of the Lithuanian minority,
- d) two representatives of the German minority,
- e) one representative of the Armenian minority,
- f) one representative of the Russian minority,
- g) one representative of the Slovak minority,
- h) two representatives of the Ukrainian minority,
- i) one representative of the Jewish minority,
- j) one representative of the Karaim minority,
- k) two representatives of the Lemko minority,
- l) two representatives of the Roma minority,
- m) one representative of the Tartar minority,

3) two representatives of the community using the language referred to in Article 19;

4) the Joint Commission's secretary who shall be an employee of the office of the minister competent for religious denominations and national and ethnic minorities.

2. The Prime Minister shall, on the motion of the minister competent for religious denominations and national and ethnic minorities, appoint and dismiss members of the Joint Commission.
3. The minister competent for religious denominations and national and ethnic minorities shall notify the agencies, referred to in Paragraph 1(1), and the minority organizations, as well as organizations of community using the language referred to in Article 19, of his/her intention to put forward to the Prime Minister the motion, referred to in Paragraph 2.
4. The agencies, referred to in Paragraph 1(1), shall put forward to the minister competent for religious denominations and national and ethnic minorities their candidates for members of the Joint Commission, within 90 days from the day they received the notification referred to in Paragraph 3.
5. The individual minorities referred to in Article 2, and a community using the language referred to in Article 19, shall put forward, to the minister competent for religious denominations and national and ethnic minorities, their candidates for members of the Joint Commission representing a given minority or a community using the language referred to in Article 19, in the number specified for this minority or community either in Paragraph 1(2) or (3), respectively; within 90 days from the day they received the notification referred to in Paragraph 3.
6. If within the deadline specified in Paragraph 5, a minority or community using the language referred to in Article 19, does not put forward its candidates or puts forward a number of candidates different from the one specified for this minority in Paragraph 1(2), and for this community – in Paragraph 1(3), then the minister competent for religious denominations and national and ethnic minorities shall put forward his/her candidates for members of the Joint Commission, representing this minority or community, and shall ask this minority or community to voice their opinion on those candidates. In the event when this minority or community has not expressed its opinion within 30 days from the day the minister competent for religious denominations and national and ethnic minorities put forward his/her candidates, the requirement to seek opinion shall be deemed satisfied.
7. In the motion referred to in Paragraph 2, minister competent for religious denominations and national and ethnic minorities shall put forward as candidates for members of the Joint Commission only persons nominated by the agencies referred to in Paragraph 1(1), and by minorities or a community using the language referred to in Article 19, subject to Paragraph 6, and also a candidate for the post of the Joint Commission's secretary.

Article 25

1. The minister competent for religious denominations and national and ethnic minorities shall lodge a motion with the Prime Minister to dismiss a member of the Joint Commission if:
 - 1) a member of the Joint Commission has handed in his/her resignation;
 - 2) an agency or minority or community using the language referred to in Article 19, whose representative a given member is, has put forward to the minister competent for religious denominations and national and ethnic minorities a well-substantiated proposal to dismiss a given Joint Commission member;
 - 3) a member has been convicted by a valid judgment of a court for a crime committed intentionally.
2. In the event of death, the membership of the Joint Commission expires.
3. In the event of expiry of the Joint Commission membership or of dismissal of a member, the Prime Minister, on a motion from the minister competent for religious denominations and national and

ethnic minorities, shall appoint a new member of the Joint Commission. The provisions of Article 24 (2)–(7) shall apply accordingly.

Article 26

The Council of Ministers may, by way of Regulation, include in the composition of the Joint Commission a representative of a government administration agency other than referred to in Article 24 (1) (1). Article 24 (2), (3), and (7) and Article 25 shall apply accordingly to the appointment and dismissal of a member of the Joint Commission.

Article 27

1. A representative of the minister competent for religious denominations and national and ethnic minorities and a representative of national or ethnic minorities and communities using the language referred to in Article 19, elected by the members of the Joint Commission referred to in Article 24 (1) (2) and (3), shall be the Joint Commission co-chairperson.
2. The co-chairpersons of the Joint Commission shall be appointed and dismissed by the Prime Minister on the motion of the minister competent for religious denominations and national and ethnic minorities.

Article 28

1. Meetings of the Joint Commission shall take place at least once every six months.
2. Meetings shall be convoked by the co-chairperson of the Joint Commission being a representative of the minister competent for religious denominations and national and ethnic minorities, on his/her own initiative or on the initiative of the co-chairperson being a representative of the minority and community using the language referred to in Article 19.
3. In order to elaborate a joint position of the minority and community using the language referred to in Article 19, the co-chairperson who represents a given minority and a given community may convoke meetings attended solely by those members of the Joint Commission who are referred to in Article 24 (1) (2) and (3). The co-chairperson shall convey their position to the remaining members of the Joint Commission forthwith.
4. In order to assume a joint position of the government administration, the co-chairperson who represents the minister competent for religious denominations and national and ethnic minorities may convoke meetings attended solely by those members of the Joint Commission who are referred to in Article 24 (1) (1). The co-chairperson shall convey their position to the remaining members of the Joint Commission forthwith.
5. The positions referred to in Paragraphs 3 and 4, and also the opinions referred to in Article 23 (2), shall be conveyed to the Prime Minister and to the Council of Ministers forthwith.
6. The Prime Minister, by way of regulation, shall specify the detailed rules of procedure of the Joint Commission.

Article 29

1. The Joint Commission members shall not be entitled to remuneration on account of their Joint Commission membership.

2. Representatives of organizations of a minority and of a community using the language referred to in Article 19, engaged in the Joint Commission work, shall be entitled to reimbursement of travel and accommodation expenses, according to the rules defined in relevant regulations concerning the amount and terms of fixing the dues to which an employee of a State or local-government unit financed by the State budget is entitled on account of official travel within the country, issued on the basis of Article 77⁵ § 2 of the Labour Code.

Article 30

1. The office of the minister competent for religious denominations and national and ethnic minorities shall ensure organizational and technical support to the Joint Commission's work.
2. The costs of the Joint Commission's operation shall be financed by the part of the State budget at the disposal of the minister competent for religious denominations and national and ethnic minorities.

Act of 29 August 1997 on personal data protection (Journal of Laws of 2016, item 922)

Article 27

1. The processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, religious, party or trade-union membership, as well as the processing of data concerning health, genetic code, addictions or sex life and data relating to convictions, judgments on penalty, fines and other decisions issued in court or administrative proceedings is prohibited.
2. However, processing of the data referred to in Paragraph 1 above shall not constitute a breach of the law where:
 - 1) the data subject has given his written consent, unless the processing consists in erasure of personal data,
 - 2) the specific provision of other Act provides for the processing of such data without the data subject's consent and provide for adequate safeguards,
 - 3) processing of such data is necessary to protect the vital interests of the data subject or of another person, where the data subject is physically or legally incapable of giving his/her consent until the establishing of a guardian or a curator,
 - 4) processing is necessary for the purposes of carrying out the statutory objectives of churches and other religious unions, associations, foundations, and other non-profit-seeking organisations or institutions with a political, scientific, religious, philosophical, or trade-union aim and on the condition that the data processing relates solely to the members of those organisations or institutions or to the persons who have a regular contact with them in connection with their purposes and subject to providing suitable safeguards of the processed data,
 - 5) processing relates to the data necessary for the establishment of legal claims,
 - 6) processing is necessary for the purposes of carrying out the obligations of the controller with regard to employment of his employees and other persons, and the scope of processing is provided by the Act,
 - 7) processing is required for the purposes of preventive medicine, the provision of care or patient treatment, where the data are processed by a health professional subject involved in treatment,

other health care services, or the management of health care services and subject to providing suitable safeguards,

- 8) the processing relates to those data which are manifestly made public by the data subject,
- 9) it is necessary to conduct scientific research including preparations of a thesis required for graduating from university or receiving a degree; any results of scientific research shall not be published in a way which allows identifying data subjects,
- 10) data processing is conducted by a party to exercise the rights and obligations resulting from decisions issued in court or administrative proceedings.

Act of 4 March 2010 on the national census of population and housing in 2011 (Journal of Laws No 47, item 277)

An obsolete act, expired on 31 March 2014, according to Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses (OJEU L of 2008, No 218, p. 14). It is important to quote this Act as it was the legal basis for the 2011 National Census, the results of which remain up-to-date also for the current report edition.

Article 2 For the purposes of this Act, the following definitions shall apply:

- 1) 'building' means a building object having at least one flat, in particular a building referred to in Article 2 (c) of the Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses (OJEU L 218, 13.08.2008, p. 14),
- 2) 'household' means all related or unrelated persons residing in a given flat, making their living together or not,
- 3) 'country of birth' means the country, within its current borders, in which:
 - a) the person covered by the Census was born, or
 - b) a mother of the person covered by the Census was residing at the time of their birth;
- 4) 'number of children born alive' means number of all children born alive, regardless of whether those children are alive or live with their biological mother,
- 5) 'flat' means a flat within the meaning of Article 2 (b) of the Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses (OJEU L 218, 13.08.2008, p. 14),
- 6) 'nationality' means national or ethnic affiliation, it is understood as a declarative, based on subjective feeling, individual characteristic of each human being, expressing his/her emotional or cultural relationship, or relationship related to the parents' origin, specific nation or ethnic community,
- 7) 'disability' means that person in question owns valid certification of inability to work, disability, degree of disability, advisability of reclassification, inability to live independently, disability or inability to work on a farm, issued by an authorized authority, or the person declares disability,
- 8) 'inability to work' shall mean the total or partial loss of earning capacity due to an impairment of the body and the lack of prognosis of recovering the ability to work after retraining;
- 9) 'collective accommodation facility' shall mean a set of premises (rooms and auxiliary rooms) located in one or more buildings, occupied by one single undertaking providing services: hotelier, care and

education, health, or other services which are associated with a larger group of people residing in such a facility;

- 10) 'public administration information systems' shall mean the public administration information systems as defined by Article 2(13) of the Act of 29 June 1995 on public statistics (Journal of Laws No 88, item 439, as amended¹⁾);
- 11) 'apartment equipped with appliances and sanitary installations' shall mean an apartment with bathroom facilities, waterworks, flushed lavatory, hot water, gas, central heating;
- 12) 'religion' or 'religious affiliation' shall mean a formal participation or emotional attachment of a person to a specific religious denomination, church or religious organisation;
- 13) 'residential non-apartment space' shall mean a space not used for residential purposes and occupied temporarily (especially an attic, a laundry room, a drier room), a mobile object (in particular a crew wagon, a caravan, a boat) or other space that during the census is the only place of residence of a person covered by the census;
- 14) 'informal relationship' shall mean two people within the same household who, under the Polish law, are not married, but whose relationship has the nature of a marriage.

Article 6. 1. A detailed list of data collected in the Census is laid down in the Annex to Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses (OJEU L 218, 13.8.2008, p. 14), hereafter 'Regulation No 763/2008'.

2. A detailed list of topics and data collected in the Census only for domestic needs, subject to Paragraph 4, is specified in Annex 1 to the Act.

3. Only on a voluntary basis may data concerning the following be collected from individuals:

- 1) remaining in an informal relationship;
- 2) religion – religious affiliation;
- 3) the number of live births and reproductive plans.

4. Data on disabilities, obtained from the public administration information systems, may be supplemented on a voluntary basis in the course of a representative survey with the participation of a person covered by the census.

Annex 1

DETAIL LIST OF TOPICS AND DATA COLLECTED IN THE CENSUS EXCLUSIVELY FOR DOMESTIC USE

6. Topic – ethnic and cultural characteristics:

- 1) nationality – national or ethnic origin;
- 2) the language spoken by people at home, including the use of the regional language;
- 3) native language;
- 4) national and ethnic minorities; 5) religion – religious affiliation.

Chapter 2

Principle of equal treatment and legal measures for its protection

Article 6 The unequal treatment of individuals based on gender, race, ethnicity or nationality in terms of access and conditions of use of social security services, including housing services, the goods and the acquisition of rights or energy, if they are offered to the public, is prohibited.

Article 7 The unequal treatment of individuals based on race, ethnicity or nationality in health care as well as education and higher education is prohibited.

Article 8. 1. The unequal treatment of individuals based on gender, race, ethnicity, nationality, religion, creed, belief, disability, age or sexual orientation is prohibited with regard to:

- 1) undertaking vocational education, including further training, development, retraining, as well as professional practice;
- 2) conditions of taking up and pursuit of trade or business activities including, in particular, in the framework of labour relations or employment on the basis of a civil contract;
- 3) joining and functioning in trade unions, employers' organisations and professional associations, as well as the use of the powers accrued to the members of these organisations;
- 4) access and conditions of use of the instruments of the labour market and labour market services specified in the Act of 20 April 2004 on employment promotion and labour market institutions offered by labour market institutions and labour market instruments as well as labour market services offered by other operators in employment promotion, human resources development and counteracting unemployment.

2. The difference of treatment on grounds of religion, belief, ideology, disability, age or sexual orientation, concerning undertaking the measures necessary in a democratic state for its public safety and order, health protection or protection of the rights and freedoms of others and for the prevention of criminal offences, to the extent specified in other provisions is not a violation of the prohibition referred to in Paragraph 1.

Article 9 Encouraging or ordering unequal treatment, as specified in Article 6, Article 7 and Article 8(1) is prohibited.

Article 10 The unequal treatment of legal persons and organisational units which are not legal persons, the legal capacity of which is recognised by law, if the violation of the principle of equal treatment is based on race, ethnic origin or nationality of their members is prohibited to the extent specified in Article 6, Article 7, Article 8(1) and Article 9.

Regulation of the Ministers of Labour and Social Policy and of National Education of 11 March 1999 on days off work or school for persons belonging to churches and other religious associations for celebrating religious holidays other than public holidays (Journal of Laws No 26, item 235)

Pursuant to Article 42(4) of the Act of 17 May 1989 on the guarantees of freedom of conscience and religion (Journal of Laws No 29, item 155, of 1990 No 51, item 297, No 55, item 321 and No 86, item 504, of 1991 No 95, item 425, of 1993 No 7, item 34 and of 1998 No 59, item 375), we hereby order as follows:

§ 1

1. An employee who is a follower of a church or another religious association whose religious holidays are not public holidays shall submit the application for a day-off, referred to in Article 42(1) of the Act of 17 May 1989 on the guarantees of freedom of conscience and religion (Journal of Laws No 29, item 155, of 1990 No 51, item 297, No 55, item 321 and No 86, item 504, of 1991 No 95, item 425, of 1993 No 7, item 34 and of 1998 No 59, item 375), hereinafter referred to as “the Act”, to the employer at least 7 days in advance. The employer shall notify the employee of the conditions of making up for the granted day-off not later than 3 days before the day-off.

2. Paragraph 1 shall not apply to the religious holidays falling on a fixed day of each week. In order to allow the employee to celebrate such holidays, the employer, at the request of the employee, shall establish an individual schedule of working hours for him or her.

§ 2

1. A higher education institution student or a school student who is a follower of a church or religious association whose religious holidays are not public holidays shall submit the application for a day off study, referred to in Article 42(1) of the Act, to the school (or other educational and pedagogical entity or care and pedagogical entity) or higher education institution, hereinafter referred to as the “school”, according to the procedure adopted in that school at the beginning of a school (academic) year or during the course of study, but not later than 7 days before the planned day-off.

2. Upon granting a day-off study, the school shall also define the method of making up for the educational outstanding work caused by the day-off.

§ 3

On behalf of minors, the application for granting a day-off, referred to in Article 1(1) and in Article 2(1), shall be submitted by the parents or legal guardians.

§ 4

The Regulation of the Ministers of Labour and Social Policy and of National Education of 12 November 1990 on days off work or school for persons who are followers of a church and other religious associations to celebrate religious holidays other than public holidays (Journal of Laws No 82, item 481) shall hereby be revoked.

Article 5

This Regulation shall enter into force 14 days after its publication.

PROVISIONS ON LANGUAGE

Act of 7 October 1999 on the Polish language (Journal of Laws of 2011, No 43, item 224, as amended).

Article 2 The

Act is not in breach of:

- 1) the provisions of the laws on relations with or attitude towards churches and other religious associations, in particular concerning performing religious cult and practices;
- 2) the rights of national and ethnic minorities and the community using the regional language.

Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended)

Chapter 2

The use of a minority language

Article 7

1. People belonging to a minority shall have the right to use and spell their first and last names according to the spelling rules of their respective minority language, in particular in the official register and identity documents.
2. The first and last names of persons belonging to a minority, written down in an alphabet other than Latin, shall be subject to transliteration.
3. The minister competent for public administration, in consultation with the minister competent for religious denominations and national and ethnic minorities, shall define, by way of regulation, the method of transliteration referred to in Paragraph 2, taking into consideration the spelling rules of the minority language concerned.

Article 8

Persons belonging to a minority shall have the right, in particular, to:

- 1) use freely their minority language in public and private life;
- 2) spread and exchange information in their minority language;
- 3) run information of a private nature in their minority language; 4) learn their minority language or to be instructed in this language.

Article 9

1. Before the commune authorities, it shall be possible to use, as a supporting language, the minority language apart from the official one.
2. A supporting language might be used only in these communes where the number of minority residents whose language is to be used as a supporting one is no less than 20 per cent of the total number of the commune residents and who have been entered into the Official Register of Communes, hereafter referred to as 'Official Register', where a supporting language is used.
3. The possibility to use supporting language shall mean that persons belonging to a minority, subject to Paragraph 5, shall have the right to:
 - 1) apply to the commune authorities in the supporting language, either in a written or oral form;
 - 2) obtain, on their distinct request, an answer in the supporting language, either in a written or oral form.
4. Oral or written applications in a supporting language shall be allowed. The submission of an application in a supporting language shall not constitute a reason for turning the application down without examination.
5. The appeal proceedings shall take place in the official language only.
6. No-one shall avoid carrying out a lawful order or decision given in the official language if the circumstances require that it be carried out immediately if it is to achieve its purpose.
7. Doubts shall be resolved on the basis of a document drawn up in the official language.

Article 10

1. Entries into the Official Register shall be made by the Official Register keeper, *i.e.* the minister competent for religious denominations and national and ethnic minorities, on the basis of a relevant motion from a commune council.
2. The application referred to in Paragraph 1 shall contain, in particular, the official data concerning the number of the commune residents, including the number of residents belonging to the minority whose language is to be used as a supporting one, and a resolution of the commune council approving the introduction of a supporting language and indicating which minority language is to be the supporting one.
3. Prior to making an entry into the Official Register, the minister competent for religious denominations and national and ethnic minorities shall examine the motion referred to in Paragraph 1. If the motion does not meet the requirements specified in Paragraph 2, the minister competent for religious denominations and national and ethnic minorities may refuse entry into the Official Register.
4. The minister competent for religious denominations and national and ethnic minorities shall refuse entry into the Official Register if the number of the commune residents belonging to the minority whose language is to be used as the supporting one is smaller than 20 per cent of the total number of the commune residents.
5. The commune council shall have the right to lodge a complaint to an administrative court against the refusal to make an entry into the Official Register.
6. Upon a motion of the commune council, the minister competent for religious denominations and national and ethnic minorities shall strike this community out of the Official Register.

7. The minister competent for religious denominations and national and ethnic minorities shall, in consultation with the minister competent for public administration, by way of regulation, define the method of keeping the Official Register, and the sample application referred to in Paragraph 1, taking into consideration particularly those data which allow an unambiguous identification of the commune (names of the voivodeship, the county and the commune), and information referred to in Paragraph 2.

Article 11

1. The commune entered into the Official Register may grant a salary supplement for the command of the supporting language, binding in this commune, to the relevant employees of the commune office, units and budgetary agencies. The rules of granting such a supplement and its amount shall be specified by the provisions on the principles of remuneration of local government officials.
2. The command of a supporting language shall be certified.
3. The minister competent for religious denominations and national and ethnic minorities shall, in consultation with the minister competent for public administration, by way of regulation, specify the list of certificates referred to in Paragraph 2, taking into account all minority languages.

Article 12

1. It shall be possible to use additional, traditional place-names alongside:
 - 1) official names of localities and physiographic objects,
 - 2) street names– established in the Polish language, pursuant to separate regulations.
2. Additional names, referred to in Paragraph 1, shall be used solely on the territories of the communes entered in the Register of Communes where names are used in minority language, hereafter called 'Register of the Communes', kept by the minister competent for religious denominations and national and ethnic minorities. Entries in the Register of Communes shall be made by the minister competent for religious denominations and national and ethnic minorities, following an application of the commune council of the commune where these names are to be used, subject to Paragraph 7 and Article 13(1)–(7).
3. The additional names, referred to in Paragraph 1, shall not refer to the names used in 1933–1945 and given by the authorities of the German Third Reich or of the Union of Soviet Socialist Republics.
4. It is possible to introduce additional names, referred to in Paragraph 1, on the territory of the entire commune or in particular localities.
5. The additional names, referred to in Paragraph 1, shall be placed after the respective Polish name, and shall not be used separately.
6. The establishment of an additional name in a given minority language shall take place in accordance with the spelling rules of the language concerned.
7. An additional name of a locality or physiographic object in a minority language shall be established upon an application of a commune council, provided that:
 - 1) the number of commune residents belonging to a minority is no less than 20 per cent of the total number of this commune residents or, in the case of an inhabited place, in consultations held under the procedure established in Article 5a(2) of the Local Government Act of 8 March 1990 (Journal of

Laws of 2001, No 142, item 1591, as amended¹⁾), more than a half of its residents who have taken part in the consultations were in favour of the establishment of an additional place-name in the minority language;

- 2) a commune council's application gained approval of the Commission on Names of Localities and Physiographic Objects, established under the Act of 29 August 2003 on official names of localities and physiographic objects (Journal of Laws No 166, item 1612).

8. The relevant provisions of the Act referred to in Paragraph 7(1) shall apply to the establishment of additional street names in a minority language.

Article 13

1. The commune council shall make the request, referred to in Article 12(7), on the motion of the commune residents belonging to a minority or on its own initiative. In the case of a request concerning the name of an inhabited place, the commune council shall be obligated first to consult the matter with the residents of this place, under the procedure defined in Article 5a(2) of the Local Government Law.

2. The commune council shall submit the request referred to in Article 12(7) to the minister competent for religious denominations and national and ethnic minorities through the voivode's office.

3. The request referred to in Article 12(7) shall contain:

- 1) a commune council's resolution on establishing an additional name for a locality or physiographic object;
- 2) the correct official name of a locality or physiographic object in Polish;
- 3) in the case of a physiographic object, the relevant opinions of voivodeship boards in the voivodeships where such an object is situated;
- 4) the proposed additional name in the minority language;
- 5) overview of the results of the consultation referred to in Paragraph 1 and in Article 12(7)(1); 6) information regarding the costs of the introduction of the proposed change.

4. The prerequisite to seek an opinion shall be deemed satisfied if no opinion referred to in Paragraph 3(3) was expressed within 30 days following the receipt of the request for such an opinion.

5. The voivode shall be obligated to convey to the minister competent for religious denominations and national and ethnic minorities the request, referred to in Article 12(7), with voivode's own opinion attached, no later than within 30 days following the receipt of the request. The minister competent for religious denominations and national and ethnic minorities shall submit the application to the Commission on Names of Localities and Physiographic Objects for opinion. Upon examining the application, the Commission on Names of Localities and Physiographic Objects shall without delay express its opinion to the minister competent for religious denominations and national and ethnic minorities through the minister competent for public administration.

6. The additional name of a locality or physiographic object in a minority language shall be deemed established if it has been entered in the Register of Communes.

7. The entry referred to in Paragraph 6 shall be made by the minister competent for religious denominations and national and ethnic minorities upon obtaining a favourable opinion of the Commission on Names of Localities and Physiographic Objects.

8. The minister competent for religious denominations and national and ethnic minorities shall refuse entering in the Register of Communes an additional name of a locality or physiographic object in a minority language or shall strike this name out of the Register if the name refers to a name used in 1933–1945 and given by the authorities of the German Third Reich or of the Union of Soviet Socialist Republics.

9. Commune council shall be able to lodge a complaint with an administrative court against the refusal to make the entry referred to in Paragraph 6 or against removal of the name from the Register, referred to in Paragraph 8.

10. The minister competent for religious denominations and national and ethnic minorities, in consultation with the minister competent for public administration, shall define, by way of regulation, the commune council's specimen applications:

- 1) for entering the commune in the Official Register,
- 2) for establishing an additional name of a locality or physiographic object in a minority language, taking into account the detailed scope of information provided in the Register of Communes.

11. The minister competent for religious denominations and national and ethnic minorities, in consultation with the minister competent for public administration, shall specify, by way of regulation, the method of keeping the Official Register and a detailed scope of information to be provided in the Register, taking into account the description of the voivodeship and county on whose territory the commune is situated, the name of the commune, the official name of the locality or physiographic object as well as the additional name in the minority language.

12. The minister competent for transport, in consultation with the minister competent for religious denominations and national and ethnic minorities and with the minister competent for public administration, shall define, by way of regulation, the details regarding the placing of additional names in a minority language on signs and boards, considering in particular the type size and typeface to be used to give place names in both the Polish and the minority language.

Article 14

The number of commune residents belonging to a minority, referred to in Article 9(2), Article 10(4) and Article 12(7)(1), shall be construed as the number officially stated as a result of the latest census.

Article 15

1. The costs involved in the introduction and the use of supporting language on the territory of the commune and the costs involved in the introduction of additional names, referred to in Article 12(1), in a minority language, shall be borne by the commune budget, subject to Paragraph 2.

2. The costs of changing information boards, resulting from the adoption of an additional name of a locality or physiographic object in the minority language, shall be incurred from the State budget.

Article 16

The minister competent for religious denominations and national and ethnic minorities shall commission translating this Act into minority languages.

Chapter 4

Regional language

Article 19

1. For the purposes of this Act and in accordance with the European Charter for Regional or Minority Languages 'a regional language' shall mean a language that is:

- 1) traditionally used within a given territory of a State by nationals of that State, who form a group numerically smaller than the rest of the State's population; and
- 2) different from the official language of that State; it shall not include either dialects of the official language of the State or the languages of migrants.

2. The Kashubian language shall be a regional language within the meaning of the Act. The Articles 7–15 shall apply accordingly, provided that 'a number of commune residents', as referred to in Article 14, should be understood as a number of persons using the regional language, established as a result of the latest national census.

Article 20

1. The right of the persons using the language referred to in Article 19, to learn or to be instructed in this language, shall be exercised in accordance with the principles and under the procedure specified in the Act referred to in Article 17.

2. Public authorities shall be obligated to take appropriate measures in order to support the activity aimed at preservation and development of the language referred to in Article 19. The provisions of Article 18(2) and (3) and Article 18(5) shall apply accordingly.

3. The measures referred to in Paragraph 2 may also include financial means transferred from the budget of a local government unit to organizations or institutions performing tasks conducive to the preservation and development of the language referred to in Article 19.

Regulation of the Minister of the Interior and Administration of 30 May 2005 on transliteration of forenames and surnames of persons belonging to national and ethnic minorities, written down in an alphabet other than the Roman alphabet (Journal of Laws No 102, item 855)

Pursuant to Article 7(3) of the Act of 6 January 2005 on national and ethnic minorities and on the regional language, I hereby order as follows:

§ 1

The method for transliteration of forenames and surnames of persons belonging to:

- 1) the Belarusian minority, written in the Belarusian alphabet, is laid down in Annex 1 hereto;
- 2) the Lemko minority, written in the Lemko alphabet, is laid down in Annex 2 hereto;
- 3) the Armenian minority, written in the Armenian alphabet, is laid down in Annex 3 hereto;
- 4) the Russian minority, written in the Russian alphabet, is laid down in Annex 4 hereto; 5) the Ukrainian minority, written in the Ukrainian alphabet, is laid down in Annex 5 hereto; 6) the Jewish minority:
 - a) written in the Hebrew alphabet, is laid down in Annex 6 hereto;
 - b) written in the Yiddish alphabet, is laid down in Annex 7 hereto.

§ 2

This Regulation shall enter into force 14 days after its publication.

ANNEX 1

METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES OF PERSONS BELONGING TO THE
BELARUSIAN MINORITY,
WRITTEN IN THE BELARUSIAN ALPHABET

Belarusian alphabet characters	Polish alphabet characters
А, а	A, a
Б, б	B, b
В, в	W, w
Г, г	H, h
Д, д	D, d
Е, е	1) Je, je – at the beginning of a word, after vowels and after ъ, ь 2) e – after Л 3) ie – after other consonants
Ё, ё	1) Jo, jo – at the beginning of a word, after vowels and after ъ, ь 2) o – after Л 3) o – after other consonants
Ж, ж	Ż, ż
З, з	Z, z
І, і	I, i
Й, й	J, j
К, к	K, k
Л, л	1) L, l – before e, я, ю, ь 2) Ł, ł – in other cases
М, м	M, m
Н, н	N, n

O, o	O, o
П, п	P, p
P, p	R, r
C, c	S, s
T, т	T, t
У, у	U, u
Ў, ў	U, u
Ф, ф	F, f
Х, х	Ch, ch
Ц, ц	C, c
Ч, ч	Cz, cz
Ш, ш	Sz, sz
Ы, ы	Y, y
Ь, ь	'
Э, э	E, e
Ю, ю	1) Ju, ju – at the beginning of a word and after vowels 2) u – after Л 3) iu – after other consonants
Я, я	1) Ja, ja – at the beginning of a word and after vowels 2) a – after Л 3) ia – after other consonants
'	omit

ANNEX 2

METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES OF PERSONS BELONGING TO THE LEMKO MINORITY, WRITTEN IN THE LEMKO ALPHABET

Lemko alphabet characters	Polish alphabet characters
A, a	A, a

Б, б	B, b
В, в	W, w
Г, г	H, h
Г, г	G, g
Д, д	D, d
Е, е	E, e
Є, є	<p>4) Je, je – at the beginning of a word, after vowels and after ъ, ь</p> <p>5) е – after Л</p> <p>6) ie – after other consonants</p>
Ж, ж	Ž, ž
З, з	Z, z
І, і	I, i
И, и	Y, y
Ы, ы	Y, y
Й, й	J, j
К, к	K, k
Л, л	<p>1) L, l – before є, я, ю, ь</p> <p>2) Ł, ł – in other cases</p>
М, м	M, m
Н, н	N, n
О, о	O, o
П, п	P, p
Р, р	R, r
С, с	S, s
Т, т	T, t
У, у	U, u
Ф, ф	F, f
Х, х	Ch, ch

Ц, ц	C, c
Ч, ч	Cz, cz
Ш, ш	Sz, sz
Щ, щ	Szcz, SzcZ
Ю, ю	<p>4) Ju, ju – at the beginning of a word, after vowels and after ъ</p> <p>5) u – after Л</p> <p>6) iu – after other consonants and after ъ</p>
Я, я	<p>4) Ja, ja – at the beginning of a word, after vowels and after ъ</p> <p>5) a – after Л</p> <p>6) ia – after other consonants</p>
Ь, ь	<p>1) omit – after л, before а, у, е, я, ю</p> <p>2) i – before о (omit if after л, even if before о)</p>
Ъ, ъ	, ’

ANNEX 3

METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES OF PERSONS BELONGING TO THE ARMENIAN MINORITY, WRITTEN IN THE ARMENIAN ALPHABET

Armenian alphabet characters	Polish alphabet characters
1	2
Ա , ա	A, a
Բ , բ	B, b
Գ , գ	G, g
Դ , դ	D, d
Ե , ե	1) Je, je -at the beginning of a word 2) E, e -in the middle or at the end of a word
Զ , զ	Z, z
Է , է	E, e
Ը , ը	Y, y
Թ , թ	T, t
Ժ , ժ	Ż, ż
Ի , ի	I, i
Լ , լ	L, l
Խ , խ	Ch, ch
Մ , մ	C, c
Կ , կ	K, k
Հ , հ	H, h
Ջ , ձ	Dz, dz
Ղ , ղ	Gh, gh
Ճ , ճ	Cz, cz
Մ , մ	M, m
Թ , թ	J, j

ANNEX 4

METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES OF PERSONS BELONGING TO THE RUSSIAN MINORITY, WRITTEN IN THE RUSSIAN ALPHABET

Russian alphabet characters	Polish alphabet characters
А, а	A, a
Б, б	B, b
В, в	W, w
Г, г	G, g
Д, д	D, d
Е, е	<ol style="list-style-type: none"> 1) Je, je – at the beginning of a word, after vowels and after ъ, ь 2) e – after Л, Ж, Ш, Ч, Щ, Ц; spelled e after all consonants in the case of surnames of foreign origin 3) ie – after all other consonants
Ё, ё	<ol style="list-style-type: none"> 1) Jo, jo – at the beginning of a word, after vowels and after ъ, ь 2) o – after Л, Ж, Ш, Ч, Щ 3) io – after other consonants
Ж, ж	Ż, ż
З, э	Z, z
И, и	<ol style="list-style-type: none"> 1) I, i; even after Ч, Щ 2) ji – after ь 3) y – after Ж, Ш, Ц
Й, й	J, j
К, к	K, k
Л, л	<ol style="list-style-type: none"> 3) L, l – before e, ё, я, ю, и, ь 4) ł, ł – before consonants, before a, o, y, ы vowels and the end of a word
М, м	M, m
Н, н	N, n

О, о	O, o
П, п	P, p
Р, р	R, r
С, с	S, s
Т, т	T, t
У, у	U, u
Ф, ф	F, f
Х, х	Ch, ch
Ц, ц	C, c
Ч, ч	Cz, cz
Ш, ш	Sz, sz
Щ, щ	Szcz, szcz
Ъ, ъ	omit
Ы, ы	Y, y
Ь, ь	' – softening character; is omitted if occurs after Л, Ж, Ш, Щ and before a vowel
Э, э	E, e
Ю, ю	<ol style="list-style-type: none"> 1) Ju, ju – at the beginning of a word, after vowels and after Ъ, ъ 2) u – after Л 3) iu – after other consonants
Я, я	<ol style="list-style-type: none"> 1) Ja, ja – at the beginning of a word, after vowels and after Ъ, ъ 2) a – after Л 3) ia – after other consonants
’	omit

ANNEX 5

METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMENES OF PERSONS BELONGING TO THE UKRAINIAN MINORITY, WRITTEN IN THE UKRAINIAN ALPHABET

Ukrainian alphabet characters	Polish alphabet characters
А, а	A, a
Б, б	B, b
В, в	W, w
Г, г	H, h
Ґ, ґ	G, g
Д, д	D, d
Е, е	E, e
Є, є	<p>7) Je, je – at the beginning of a word, after vowels and after ъ, ь</p> <p>8) e – after Л</p> <p>9) ie – after other consonants</p>
Ж, ж	Ż, ż
З, з	Z, z
И, и	Y, y
І, і	I, i
Ї, ї	Ji, ji
Й, й	J, j
К, к	K, k
Л, л	<p>5) L, l – before я, ю, ь</p> <p>6) Ł, ł – in other cases</p>
М, м	M, m
Н, н	N, n
О, о	O, o
П, п	P, p
Р, р	R, r
С, с	S, s
Т, т	T, t
У, у	U, u
Ф, ф	F, f

Х, х	Ch, ch
Ц, ц	C, c
Ч, ч	Cz, cz
Ш, ш	Sz, sz
Щ, щ	Szcz, szcz
Ь, ь	'
Ю, ю	7) Ju, ju – at the beginning of a word and after vowels 8) u – after Л 9) iu – after other consonants
Я, я	7) Ja, ja – at the beginning of a word and after vowels 8) a – after Л 9) ia – after other consonants
'	omit

ANNEX 6

METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES OF PERSONS BELONGING TO THE JEWISH MINORITY, WRITTEN IN THE HEBREW ALPHABET

Hebrew alphabet characters	Polish alphabet characters
1	2
א	a
ב	b
ב	w
ג	g
ג	g
ד	dź
ד	d
ד	d
ה	h
ו	w
ו	u
ז	o
ז	z
ז	ż
ח	ch
ט	t
י	j
כ	k
כ, ך	ch
ל	l
מ, ם	m
נ, ן	n
ס	s
ע	omit
פ	p
ף	f
צ, ץ	c

ANNEX 7

METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES OF PERSONS BELONGING TO THE JEWISH MINORITY, WRITTEN IN THE YIDDISH ALPHABET

Yiddish alphabet characters	Polish alphabet characters
א	
א	a
אָ	o
ב	b
ג	g
ד	d
שװ	dź
ה	h
ו	u
וּ	u
ױ	w
װ	oj
ז	z
שװ	ź
ח	ch
ט	t
שט	cz
י	1) j – at the beginning of a syllable (before vowel) 2) i – in the middle or at the end of a syllable
י	i (following a consonant)
ײ	ej
ײַ	aj
כ, כּ	ch
כ	k
ל	l
מ, מױ	m
נ, נױ	n
ס	s
ע	e
פ, פּ	p
פ, פּ	f
צ, צײַ	c
ק	k
ר	r
ש	sz
ת	s

Regulation of the Minister of the Interior and Administration of 30 May 2005 on the Official Register of Communes where supporting language is used (Journal of Laws No 102, item 856)

Pursuant to Article 10(7) of the Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws No 17, item 141, and No 62, item 550), I hereby order as follows:

§ 1

This Regulation lays down the method for keeping the Official Register of Communes where a supporting language is used, hereinafter referred to as the 'Official Register', as well as the sample application of a commune council for entering the commune in the Register.

§ 2

1. The Official Register shall be kept in the electronic form as a table.

2. The table referred to in Paragraph 1 shall have the following columns:

- 1) consecutive number of entry;
- 2) commune;
- 3) county;
- 4) voivodeship;
- 5) total number of commune residents;
- 6) number of commune residents belonging to minorities or speaking a regional language; 7) supporting language;
- 8) date of passing a resolution of the commune council approving the introduction of a supporting language;
- 9) number of the resolution of the commune council approving the introduction of a supporting language;
- 10) date of entry of the commune in the Official Register; 11) date of deleting the commune from the Official Register.

3. The information entered in the columns referred to in Paragraph 2(2)–(4) and Paragraph 2(7)–(9) shall be entered in the Official Register on the basis of information contained in the application of a commune council for entering the commune in the Official Register.

4. The information entered in the columns referred to in Paragraph 2(5) and (6) shall be entered there after the minister competent for religious denominations and national and ethnic minorities has verified information on the total number of commune residents and the number of commune residents belonging to national or ethnic minorities whose language is to be used as a supporting language or the number of commune residents speaking the regional language if the language is to be used as a supporting language, contained in the commune council's application for entering the commune in the Official Register.

§ 3

The sample application of a commune council for entering the commune in the Official Register is set out in the Annex hereto.

§ 4

This Regulation shall enter into force 14 days after its publication. **ANNEX**

SAMPLE

APPLICATION for entering the commune in the Official Register of Communes where a supporting language is used

Commune	..... (name)
County	..... (name)
Voivodeship	..... (name)
Total number of commune residents¹ 	Number of commune residents belonging to the minority whose language is to be used as a supporting language²
Supporting language	..... (name)
Date, number and title of the commune council's resolution	..........

Annexes:

- 1) Resolution of the commune council approving the introduction of a supporting language, together with specification of the national or ethnic minority language or the regional language that is to be used as a supporting language;

- 2) Specification of the costs of introducing the supporting language in the first year;
- 3) Voivode's information on the validity of the commune council resolution.

.....
(signature and seal of the head of the
commune council)

- ¹ The number shall be construed as the number determined on the basis of up-to-date data of Statistics Poland.
- ² The number shall be construed as the number referred to in Article 14 and Article 19(2) of the Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws No 17, item 141 and No 62, item 550) respectively, *i.e.* the number determined as a result of the last census – accordingly the number of commune residents belonging to a given national or ethnic minority or the number of commune residents speaking the regional language.

Regulation of the Minister of the Interior and Administration of 30 May 2005 on the Register of Communes where place names in the minority language are used, sample applications for entering a commune in the Register and for establishing an additional name of a locality or physiographic object in a national or ethnic minority language or in a regional language (Journal of Laws of 2014, item 1486)

Pursuant to Article 13(10) and (11) of the Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws No 17, item 141 and No 62, item 550), I hereby order as follows:

§ 1

This Regulation lays down the method of keeping the Register of Communes where place names in the minority language are used, detailed scope of information provided in the Register, as well as sample applications of commune councils for entering a commune in the Register and for establishing an additional name of a locality or physiographic object in a national or ethnic minority language or in a regional language.

§ 2

1. The Register of Communes shall be kept in an electronic form.
2. The Register of Communes shall consist of:
 - 1) the Register of Communes where additional street names are used;
 - 2) the Register of Communes where additional names of localities and physiographic objects are used.
3. Each commune entered in the Register shall be assigned a consecutive number in the Register, starting with the following symbol: 'NU/nn' for communes entered in the Register referred to in

Paragraph 2(1) and 'NM/nn' for communes entered in the Register referred to in Paragraph 2(2), where 'nn' shall mean a consecutive number of entry in a given Register.

4. Information is entered in the Register referred to in Paragraph 2(1) separately for each commune and it includes:

- 1) number of entry for the commune;
- 2) name of the voivodeship where the commune is located;
- 3) name of the county where the commune is located;
- 4) name of the commune;
- 5) total number of commune residents;
- 6) number of commune residents belonging to a national or ethnic minority in whose language additional names have been suggested, or the number of commune residents speaking a regional language, determined based on the last census;
- 7) date of passing and the number of commune council's resolution establishing additional names of streets;
- 8) date of adopting and the number of the commune council's resolution on submitting an application for entering the commune in
the Register of Communes where place names in the minority language are used;
- 9) date of entering the commune in the Register.

5. Information is entered in the Register referred to in Paragraph 2(2) separately for each additional name of a locality or physiographic object. Each additional name shall be assigned a number consisting of the commune number referred to in Paragraph 3, and item number according to the sequence of establishing additional names in a given commune.

6. The information entered in the Register referred to in Paragraph 2(2) shall include:

- 1) number assigned to the additional name of a locality or physiographic object;
 - 1a) identification number of the National Register of Geographical Names;
- 2) name of the voivodeship where the commune is located;
- 3) name of the county where the commune is located;
- 4) name of the commune;
- 5) date of adopting and the number of the commune council's resolution on submitting an application for entering the commune in
The Register of Communes where additional names are used;
- 6) specification of a name type (name of a locality, name of a physiographic object);
- 7) total number of commune residents;
- 8) number of commune residents belonging to a national or ethnic minority in whose language additional names have been suggested, or the number of commune residents speaking a regional language, determined based on the last census;
- 9) in the case of an inhabited locality – the number of the locality's residents participating in consultations and the number of the locality's residents who participated in consultations and were in favour of the introduction of an additional name of the locality;
- 10) official name of a locality or physiographic object;
- 11) additional name of a locality or physiographic object written in the minority language; 11a) the language in which the additional name has been established;
- 12) annotations of the opinion of:

- a) boards of voivodeships where the physiographic object for which an additional name in a minority language or a regional language is being established is located;
 - b) voivode;
 - c) Commission on Names of Localities and Physiographic Objects;
- 13) date of entering the additional name of a locality or physiographic object in the Register of Communes;
- 14) date of deleting the additional name of a locality or physiographic object from the Register of Communes.

§ 3

The sample application for entering the commune in the Register of Communes is set out in Annex 1 hereto.

§ 4

A sample application of the commune council for establishing an additional name of a locality or physiographic object in a national or ethnic minority language or in a regional language is set out in Annex 2 hereto.

Article 5

This Regulation shall enter into force 14 days after its publication.

ANNEXES

Annex 1

SAMPLE

APPLICATION for entering a commune in the Register of Communes where additional names of localities, physiographic objects or streets are used

A. General information

Commune	..... (name)
County	..... (name)

Voivodeship	..... (name)	
type of additional name¹:		
street name ?	name of the locality ?	name of the physiographic object ?
Total number of commune residents²	Number of commune residents belonging to the minority in whose language additional names are to be used³	
In the case of an inhabited locality:⁴		
Number of the locality's residents participating in consultations 	Number of the locality residents who have taken part in the consultations and supported the establishment of an additional name of the locality 	

B. Data on additional names of localities or physiographic objects that the commune council applies for⁵

Names of the locality

Official name of the locality	Proposed additional name
1.	1.
2.	2.
Names of physiographic objects	
Official name	Proposed additional name
1.	1.
2.	2.
Language in which the additional name is to be used	

C. Data on the commune council's resolution:

Date, number and title of the commune council's resolution
---	----------------

Annexes:

- 1) commune council's resolution on submitting an application for entering the commune in the Register of Communes where additional names in a minority language are used,
- 2) commune council resolution on establishing an additional street name⁶,
- 3) detailed estimate of the costs of the replacement of information boards referred to in Article 15(2) of the Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws No 17, item 141, as amended),
- 4) information from the Voivod about the validity of commune council's resolutions listed in subParagraphs 1 and 2; 5) application for establishing an additional name of a locality or physiographic object⁷.

.....
(signature and seal of the head
of the commune council)

- 1 Put x next to the type of the additional names to be used in the commune territory.
- 2 The number shall be construed as the number determined on the basis of up-to-date data of Statistics Poland.
- 3 The number shall be construed as the number referred to in Article 14 and Article 19(2), respectively, of the Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws No 17, item 141, as amended), i.e. the number determined as the result of the last national census – the number of commune residents belonging to a given national or ethnic minority or the number of commune residents using the regional language, respectively.
- 4 Fill, if submission of the application was based on the result of consultations carried out in the relevant locality.
- 5 Data should be provided if a commune also submits, together with the application for entering the commune in the Register, applications for establishing additional names of localities or physiographic objects, including all the names that the commune applies for.
- 6 The resolution shall be attached only if a commune council submits an application for entering the commune in the Register in connection with the establishment of an additional street name.
- 7 To be attached only if a commune council submits an application for entering the commune in the Register in connection with the establishment of an additional name of a locality or physiographic object. **ANNEX 2**

SAMPLE

(signature and seal of the head of the commune council)

APPLICATION for establishing an additional name of a locality or physiographic object

Commune	..... (name)
County	..... (name)
Voivodeship	..... (name)
specification of the type of the additional name:	
name of the locality ☐	name of the physiographic object ☐

Official name of the locality or physiographic object	
Proposed additional name of the locality or physiographic object*	

Annexes:

- 1) a commune council’s resolution on establishing an additional name for a locality or physiographic object;
- 2) in the case of a physiographic object, the relevant opinions of voivodeship boards in the voivodeships where such an object is situated;
- 3) elaboration of the results of consultations carried out under Article 5a (2) of the Act of 8 March 1990 on commune local government (Journal of Laws of 2001 No 142, item 1591, as amended), 4) information regarding the costs of introducing the proposed change.

.....
 (signature and seal of the head
 of the commune council)

 * Written in the alphabet of the language in which it is to be used.

Regulation of the Minister of Infrastructure of 10 August 2005 on placing additional names in national and ethnic minority languages or in the regional language on signs and boards (Journal of Laws No 157, item 1320)

Pursuant to Article 13(12) of the Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws No 17, item 141 and No 62, item 550), I hereby order as follows:

§ 1

This Regulation lays down details of placing additional names in national and ethnic minority languages or in the regional language, hereinafter referred to as ‘additional names’, on the signs and boards, next to official Polish names of localities, physiographic objects and streets.

§ 2

1. If the signs and boards bear one name in Polish, the additional name in the minority language should be written in letters having the same size as the letters of the Polish name.
2. If the signs and boards bear more than one name in Polish, the additional names in the minority language should be written in letters smaller by one-fourth than the letters of the Polish name.

§ 3

The typeface of letters used for writing additional names shall be the same as the typeface of letters used for writing names in Polish.

§ 4

Additional names placed on the signs and boards shall be written using the alphabet specific to a given national or ethnic minority language or a regional language, with account taken of diacritics specific to that alphabet.

Article 5

Additional names are placed below the names in Polish in such a manner that the centre of the additional name and the centre of the name in Polish are vertically aligned.

§ 6

This Regulation shall enter into force 14 days after its publication.

Regulation of the Minister of the Interior and Administration of 16 June 2005 on diplomas, documents or certificates confirming the knowledge of supporting language (Journal of Laws No 119, item 1013)

Pursuant to Article 11(3) of the Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws No 17, item 141 and No 62, item 550), I hereby order as follows:

§ 1. This Regulation lays down a list of diplomas, documents or certificates confirming the knowledge of languages of national and ethnic minorities and the regional language.

§ 2. The list of diplomas, documents and certificates is set out in the Annex hereto.

§ 3. This Regulation shall enter into force 14 days after its publication.

ANNEX

LIST OF DIPLOMAS, DOCUMENTS OR CERTIFICATES CONFIRMING THE KNOWLEDGE OF LANGUAGES OF NATIONAL AND ETHNIC MINORITIES AND THE REGIONAL LANGUAGE

- 1) a diploma certifying the completion of:
 - a) studies in the field of philology of a relevant language,
 - b) studies with specialisation in a relevant foreign language or applied linguistics in a relevant language,
 - c) foreign language teacher training college dedicated to a relevant foreign language,

- 2) secondary school leaving certificate confirming the knowledge of a relevant language, obtained after finishing a school teaching the language of a given national or ethnic minority or teaching the regional language,
- 3) a document issued abroad:
 - a) confirming the completion of higher education – language of instruction is recognised,
 - b) confirming the completion of higher education in the field of philology of a relevant foreign language,
 - c) deemed to be equivalent to a secondary school leaving certificate – language of instruction is recognised,
- 4) document confirming passing a ministry exam:
 - a) in the Ministry of Foreign Affairs,
 - b) in the Ministry of Economy and Labour,¹⁾
 - c) in the Ministry of National Defence – from level 3333 according to STANAG 6001,
- 5) certificate confirming the knowledge of a foreign language issued by the National School of Public Administration

as a result of the linguistic check procedure,
- 6) document confirming the entry in the list of sworn translators,
- 7) documents confirming the knowledge of the Kashubian language:
 - a) certificate of completion of post-graduate pedagogy and methodology studies in teaching the Kashubian language organised by the University of Gdańsk,
 - b) document confirming the knowledge of the Kashubian language issued by the Kashubian-Pomeranian Association for teaching and conducting classes in schools that help children to preserve their national, ethnic, and language identity, in accordance with the rules on qualifications required from teachers,
- 8) documents confirming passing exams testing the knowledge of German:
 - a) Zertifikat Deutsch (ZD), Die Zentrale Mittelstufenprüfung (ZMP), Die Zentrale Oberstufenprüfung (ZOP), Das Kleine Deutsche Sprachdiplom (KDS), Das Grosse Deutsche Sprachdiplom (GDS) – exams organised by Goethe Institut,
 - b) Prüfung Wirtschaftsdeutsch International (PWD) – exams organised by Goethe Institut, German Chamber of Industry and Commerce and the Carl Duisberg Institute,
 - c) Österreichisches Sprachdiplom für Deutsch als Fremdsprache (ÖSD) – from the Mittelstufe level, Diplom Wirtschaftssprache Deutsch (DWD) – exams organised by the Austrian Institute,
 - d) Zertifikat Deutsch (B1), Zertifikat Deutsch Plus (B2), Zertifikat Deutsch für den Beruf (B2) – TELC exams (The European Language Certificates) administered by WBT (Weiterbildungs-Testsysteme GmbH),
 - e) Deutsches Sprachdiplom (DSD I), Deutsches Sprachdiplom (DSD II) – exams organised by Kultusministerkonferenz,
- 9) documents confirming passing of exams testing the knowledge of Russian:

¹⁾ Document confirming passing a ministry exam carried out by the Ministry of Economy and Labour and all its legal predecessors and successors.

- a) Русский Язык. Деловое Общение (Бизнес и Коммерция) – from the Средний Уровень level – issued by the Pushkin State Institute of Russian Language,
- b) Европейские Сертификаты по языкам, Сертификат по русскому языку
TELC exam (The European Language Certificates) administered by WBT (Weiterbildungs-Testsysteme GmbH)

10) documents confirming passing exams testing the knowledge of the Romani language: diploma of completion of studies in the field of Romani philology in Section de langues et Civilization Rromani organised by Institut National des Langues et Civilizations Orientales in Paris.

Regulation of the Minister of the Interior and Administration of 18 March 2002 on cases in which names and texts in Polish may be accompanied by versions translated into foreign languages (Journal of Laws No 37, item 349, as amended)

Pursuant to Article 10(2) of the Act of 7 October 1999 on the Polish language (Journal of Laws No 90, item 999 and of 2000, No 29, item 358), I hereby order as follows:

§ 1. This Regulation specifies cases in which names and texts in offices and public institutions, as well as those intended for public reception and in public means of transport, drawn up in Polish, may be accompanied by versions translated into a foreign language.

§ 2. 1. Names and texts in Polish located in:

- 1) ⁽¹⁾ localities with dense communities national or ethnic minorities or the community using the regional language,
- 2) border zones,
- 3) cities with foreign diplomatic missions, registered offices of international organisations or foreign companies,
- 4) places near to international transit roads,
- 5) resort and spa localities and localities with recognised recreational and landscape features,
- 6) ⁽²⁾ in Polish missions abroad within the meaning of the Act of 27 July 2001 on foreign service (Journal of Laws No 128, item 1403 and of 2004, No 273, item 2703),
- 7) ⁽³⁾ at airports within the meaning of the Act of 3 July 2002 – Aviation Law (Journal of Laws of 2006, No 100, item 696, as amended),
- 8) ⁽⁴⁾ in aircraft registered in Poland within the meaning of the Act of 3 July 2002 – Aviation Law,
- 9) ⁽⁵⁾ in integrated transfer hubs within the meaning of the Act of 16 December 2010 on public transport (Journal of Laws of 2011, No 5, item 13),
- 10) ⁽⁶⁾ in ports and harbours within the meaning of the of the Act of 20 December 1996 on ports and harbours (Journal of Laws of 2010, No 33, item 179),
- 11) ⁽⁷⁾ on board of seafaring ships registered in Poland within the meaning of the Act of 18 September 2001 – Maritime Code (Journal of Laws of 2009, No 217, item 1689, of 2010, No 127, item 857, and of 2011, No 80, item 432),

- 12) ⁽⁸⁾ on board of Polish ships within the meaning of the Act of 21 December 2000 on inland navigation (Journal of Laws of 2006, No 123, item 857, as amended),
- 13) ⁽⁹⁾ at ATMs within the meaning of the Act of 12 September 2002 on electronic payment instruments (Journal of Laws No 169, item 1385, as amended),
- 14) ⁽¹⁰⁾ at ticket machines

– may be accompanied by versions translated into a foreign language.

2. Translation concerns names and texts:

1) placed:

- a) on a sign in front of a public body or institution,
- b) in any other visible information spot,
- c) in public transport,

2) intended for the public.

3. ⁽¹¹⁾ The translation shall be placed below the text in Polish or as an annex to the text, or in another way that complements names and texts in Polish.

4. ⁽¹²⁾ In the case referred to in Paragraph 1(1), the foreign language should be in particular a national or ethnic minority language or the regional language.

4a. ⁽¹³⁾ In the case referred to in Paragraph 1(2), the foreign language should be in particular the official language of a neighbouring country.

4b. ⁽¹⁴⁾ In the cases referred to in Paragraph 1(3)–(14), the foreign language should be in particular one of the official languages of the European Union.

5. Names and texts may be translated into more than one foreign language.

§ 3. 1. The translation referred to in § 2 shall cover the following:

- 1) name of a public office or institution,
- 2) rules of entry to a public office or institution,
- 3) information that enables an interested person to address their case to the appropriate organisational unit of the public office or institution,
- 4) other information that facilitates benefiting from the actions of entities referred to in subParagraph 1,
- 5) ⁽¹⁵⁾ information relevant to safety and facilitating the use of facilities and equipment referred to in § 2(1)(7)–(14).

¹⁾ § 2(1)(1) was amended by § 1(1)(a) of the Regulation of 19 April 2006

(Journal of Laws of 2006, No 75, item 526) amending this Regulation as of 19 May 2006.

²⁾ § 2(1)(6) was added by § 1(1)(b) of the Regulation of 19 April 2006 (Journal of Laws of 2006, No 75, item 526) amending this Regulation as of 19 May 2006.

³⁾ § 2(1)(7) was added by § 1(1)(a) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

⁴⁾ § 2(1)(8) was added by § 1(1)(a) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

⁵⁾ § 2(1)(9) was added by § 1(1)(a) of the Regulation of 29 September 2011

2. In public transport, the translation shall cover:

- 1) the most important provisions of the transport Regulations,
- 2) instructions for using equipment found in the means of transport, 3) other information facilitating the use of public transport.

§ 4. This Regulation shall enter into force 14 days after its publication.

Footnotes:

⁶⁾ § 2(1)(10) was added by § 1(1)(a) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

⁷⁾ § 2(1)(11) was added by § 1(1)(a) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

⁸⁾ § 2(1)(12) was added by § 1(1)(a) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

⁹⁾ § 2(1)(13) was added by § 1(1)(a) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

¹⁰⁾ § 2(1)(14) was added by the first indent of § 1(1)(a) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

¹¹⁾ § 2(3) amended by § 1(1)(b) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

¹²⁾ § 2(4):
- amended by § 1(2) of the Regulation of 19 April 2006 (Journal of Laws of 2006, No 75, item 526) amending this Regulation as of 19 May 2006.

- amended by § 1(1)(b) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

¹³⁾ § 2(4a) added by § 1(1)(c) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011. ¹⁴⁾ § 2(4b) added by § 1(1)(c) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

¹⁵⁾ § 3(3)(5) added by § 1(2) of the Regulation of 29 September 2011 (Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

Act of 17 October 2008 on changing forenames and surnames (Journal of Laws of 2016, item 10)

Article 1 The Act specifies the rules for changing one's forename or surname to a different one as well as the competent public administration authority and the procedure for changing one's forename or surname.

Article 2 The provisions of the Act apply to:

- 1) Polish citizens;

(Journal of Laws of 2011, No 224, item 1349) amending this Regulation as of 3 November 2011.

- 2) foreigners without any citizenship, if they have a permanent residence in the Republic of Poland;
- 3) foreigners who were granted a refugee status, without prejudice to Article 4(2).

Article 3 Within the meaning of this Act:

- 1) forename change means changing one's forename to a different forename or changing the spelling of the forename;
- 2) surname change means changing to a different surname, changing the spelling of the surname or changing the surname to take into account a proper gender form;
- 3) family member means a spouse or a direct ascendant of the person applying for changing one's forename or surname.

Article 4. 1. A person may only change their forename or surname for important reasons, in particular when it involves changing:

- 1) a forename or surname that is humiliating or violates human dignity;
- 2) to a forename or surname being used;
- 3) to a forename or surname which was unlawfully changed;
- 4) to a forename or surname used in accordance with the law of a country, of which one is also a citizen.

2. A foreigner who acquired the refugee status in the Republic of Poland may only change their forename or surname for particularly important reasons related to their right to life, health, liberty or personal security being at risk.

Article 5. The change of surname shall not take place, if the requesting party is attempting to change their surname to a historic surname, associated with cultural and scientific achievements or political, social or military activity, unless the requesting party has family members bearing such a surname.

Article 6. 1. Following the change of surname, subject to Article 4(1)(4), the surname may not consist of more than two parts.

2. Following the change of their forename, a person may have no more than two forenames.

Article 7. 1. The change of surname may concern the current surname or the family name.

2. The change of a surname adopted upon marriage, if it is equivalent to the family name, applies to the family name only at the express request of the person applying for the change.

Article 8. 1. A change concerning the surname of both of the parents applies to minor children and any children born from this marriage.

2. A change of the surname of one parent applies to minor children, if the other parent expresses their consent, unless such a parent does not have full capacity to perform acts in law, is dead, is not identified or deprived of parental authority. If by the time of the change the child has reached the age of 13, the child's consent to the change is also required.

3. Should the parents be unable to reach an understanding, each of them may apply to the guardianship court for permission to change the child's surname.

4. The child and the other parent must consent to the change of the child's surname in person, before the authorities referred to in Article 12, or in written form, with the signature

certified by a notary public. Persons residing abroad may express their consent through the Consulate of the Republic of Poland.

Article 9. 1. A forename or surname is changed at the written request of the applying person, hereinafter referred to as the 'applicant'.

2. A forename or surname of a minor child is changed at the written request of the child's legal representative. Provisions of Article 8 Paragraphs 2 – 4 shall apply accordingly.

Article 10. 1. An application for changing a forename or surname shall be filed in person with the authority referred to in Article 12.

2. Persons residing abroad may apply for a change of a surname through the Consulate of the Republic of Poland.

3. The application for a change of a surname may be filed without observance of the requirements set out in Paragraphs 1 and 2, provided that it is done in written form, with the signature certified by a notary public.

Article 11. 1. The application for changing a forename or surname shall contain:

- 1) the data of the person concerned:
 - a) the forename(s), surname and family name,
 - b) the permanent residence address or address of the last permanent residence,
 - c) in the case of lack of the residence address referred to in point (b), the address of temporary residence which lasted more than 3 months,
 - d) the number in the Universal Electronic System for Registration of the Population, hereinafter referred to as the 'PESEL number',
- 2) the forename and surname to which the current ones are to be changed,
- 3) the explanatory statement.

2. The application for the change of a surname shall be accompanied by:

- 1) the complete copy of the birth certificate;
- 2) the complete copy of the marriage certificate;
- 3) the complete copies of the birth certificates of minor children, if the change of the surname applies to the children,
- 4) other documents justifying the change of the surname.

3. The application for changing a forename shall be accompanied by:

- 1) the complete copy of the birth certificate;
- 2) the complete copy of the marriage certificate;
- 3) other documents justifying the change of the forename.

4. The application is not accompanied by the documents listed in Paragraph 2 points 1 – 3 and in Paragraph 3 points 1 – 2, if they were drawn up in the register office to which a person applies for the change of the surname.

5. In the cases referred to in Article 10(1) and (2), the applicant presents an identification document.

6. If the document referred to in Paragraph 5 does not include the PESEL number, the applicant also presents a notice confirming that they were assigned a PESEL number or a

certificate confirming that they were assigned a PESEL number, in accordance with the Act of 10 April 1974 on registration of population and identity cards (Journal of Laws of 2006, No 139, item 993, as amended²⁾).

Article 12. 1. The decision on changing a forename or surname or on refusing to grant permission to change a forename or surname is issued by the Head of the Registry Office competent for the applicant's permanent residence address or their deputy or, if there is no such address, the Head of the Registry Office competent for the applicant's last permanent residence address or their deputy.

2. If territorial jurisdiction cannot be determined in accordance with Paragraph 1, the Head of the Registry Office competent for the capital city of Warsaw, or their deputy, shall decide in cases set out in the Act.

Article 13. 1. The bodies referred to in Article 12 shall immediately inform about the change of the forename or surname:

- 1) the Head of the Registry Office competent for the address under the applicant's birth certificate and marriage certificate were drawn up, as well as for the address under which the birth certificates of minor children were drawn up, if the change of the surname applies to the children, when notifying about the decision to change the forename or surname;
- 2) the commune's body keeping population records, competent for the permanent residence address of the applicant or their minor children, if the change of the surname applies to the children; in the case of lack of a permanent residence address of those persons – the commune's body keeping population records, competent for their last permanent residence address or the address of temporary residence which lasted more than 3 months, if the applicant and their minor children are registered only for that residence, when notifying about the change of the forename or surname;
- 3) the minister competent for internal affairs keeping population records in the form of the Universal Electronic System for Registration of the Population (PESEL), a personal information dataset, if the applicant or their minor children on the territory of the Republic of Poland never had a permanent residence address or do not have an address of temporary residence which lasted more than 3 months, when notifying about the change of the forename or surname;
- 4) the body which issued the identity card of the applicant or their minor children, if the change of the surname applies to the children, when notifying about the change of the forename or surname.

2. The notice, as referred to in Paragraph 1(2)–(4), shall include:

- 1) the data referred to in Article 11(1)(1);
- 2) the forename(s) or surname(s) following the change; 3) the name of the body which issued the decision to change the forename or surname; 4) the reference number and date when the decision was issued.

3. The decision and notice, as referred to in Paragraphs 1 and 2, may be submitted through means of electronic communication or on digital data carriers, in the form of electronic documents.

Article 14. 1. The tasks and competences of the Head of the Registry Office and their deputy are tasks in the scope of government administration.

2. The Voivodes oversee the execution of tasks, as referred to in Article 12 and 13(1), by the Heads of Registry Offices.
3. The Voivode is the supreme authority in the cases covered by the Act.
4. The minister competent for internal affairs shall oversee matters covered by the present Act.

Article 15. In the Act of 10 April 1974 on population records and identity cards (Journal of Laws of 2006, No 139, item 993, as amended³⁾) in Article 14:

1) Paragraph 1 shall read as follows:

‘1. The Head of the Registry Office immediately transfers data concerning the change of marital status and other changes to certificates of civil status to the commune’s body competent for the data subject’s permanent residence address and in the case of lack of such an address – to the body competent for the last permanent residence address or address of temporary residence which lasted more than 3 months and to the body which issued the identity card.’; 2) following Paragraph 1, Paragraph 1(a) is added, which shall read as follows:

‘1a. Provisions of the Act of 17 October 2008 on changing forenames and surnames (Journal of Laws, No 220, item 1414) shall apply to the transfer of data on the change of a forename or surname made under the Act.’; 3) Paragraph 3 is repealed.

Article 16. The Act of 16 November 2006 on stamp duty (Journal of Laws, No 225, item 1635, as amended⁴⁾) shall include the following changes:

1) Article 2(1)(6) shall read as follows:

‘6) performing an official act or issuing a decision in the cases concerning the change of the forename(s) or surname of persons, whose forenames or surnames were unlawfully changed, as well as the descendants and spouses of such persons;;’;

2) in part I of the Annex, Paragraph 6 is repealed.

Article 17. The Act of 15 November 1956 on changing forenames and surnames is hereby repealed (Journal of Laws of 2005, No 233, item 1992 and of 2007, No 21, item 125).

Article 18. This Act shall enter into force six months after its publication.

¹⁾ The Act amends the Act of 10 April 1974 on population records and identity cards and the Act of 16 November 2006 on the stamp duty.

²⁾ Amendments to the consolidated text of the said Act were published in the Journal of Laws of 2006, No 144, item 1043, of 2007, No 21, item 125 and of 2008, No 70, item 416, No 171, item 1056 and No 195, item 1198.

³⁾ Amendments to the consolidated text of the said Act were published in the Journal of Laws of 2006, No 144, item 1043, of 2007, No 21, item 125 and of 2008, No 70, item 416, No 171, item 1056 and No 195, item 1198.

- 4) Amendments to the said Act were published in the Journal of Laws of 2007, No 64, item 427, No 124, item 859, No 127, item 880 and No 128, item 883 and of 2008, No 44, item 262, No 63, item 394, No 182, item 1121, No 195, item 1198 and No 216, item 1367.

Act of 29 August 2003 on official names of localities and physiographic objects (Journal of Laws, No 166, item 1612, as amended)

Chapter 1

General provisions

Article 1

1. The Act sets forth:

- 1) the rules and procedure for determining, changing and repealing the official names of localities and parts thereof, as well as the official names of physiographic objects;
- 2) the operating principles of the Commission on Names of Localities and Physiographic Objects;
- 3) the method of determining and publishing lists with the official names of localities, parts thereof, and of physiographic objects.

2. The provisions of the Act shall not apply to determining, changing and repealing official names in the scope regulated by nature conservation laws and in the cases where an official name is specified in a separate Act.

Chapter 2

Commission on Names of Localities and Physiographic Objects

Article 4

1. The Commission on Names of Localities and Physiographic Objects, hereinafter referred to as the 'Commission', shall be established as an advisory and consultative body for determining, changing and repealing the official names of localities and physiographic objects, hereinafter referred to as 'official names'.

2. The Commission shall operate under the minister competent for public administration.

3. The Commission's tasks shall include the following:

- 1) providing opinions on applications to determine, change or repeal an official name;
- 2) providing opinions on draft lists referred to in Article 9(1);
- 3) applying to determine, change or repeal the official names of uninhabited localities and parts thereof;
- 4) providing opinions on other matters concerning the implementation of the Act.

4. The minister competent for public administration shall specify by way of regulation:

- 1) the procedure for the Commission's work, taking into account the necessity to ensure the efficient functioning of the Commission;

- 2) the amount of remuneration for members for their participation in meetings of the Commission, taking into account the fact that the maximum amount of remuneration cannot exceed 60% of the minimum wage laid down in separate provisions.

Article 5

1. The Commission is composed of:

- 1) the chairperson who is a linguist, appointed for a term of four years by the minister competent for public administration from among the persons indicated by the President of the Polish Academy of Sciences;
- 2) the deputy chairperson, appointed for a term of four years by the minister competent for public administration upon the motion of the Commission's chairperson from among the members of the Commission referred to in point 4;
- 3) the secretary who represents the minister competent for public administration;
- 4) six members appointed for a term of four years by the minister competent for public administration from among the scientists proposed by faculty councils of higher education institutions and scientific councils of committees and institutes of the Polish Academy of Sciences – from the fields of linguistics, history, geography and cartography;
- 5) one representative of: the Minister of National Defence, minister competent for culture and protection of national heritage, the Surveyor General of Poland and the President of Statistics Poland, appointed for a four-year term of office by the minister competent for public administration;
- 6) ⁽¹⁾ secretary of the Joint Commission of the Government and National and Ethnic Minorities, established pursuant to Article 23 of the Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws, No 17, item 141).

2. The minister competent for public administration shall dismiss a Commission member before the expiry of the term of office in the following cases:

- 1) in the case of resignation;
- 2) at the application of the body which designated the candidate to be a member.

3. The minister competent for public administration shall ensure the provision of administrative services for the purposes of the Commission's operation.

4. The costs of the Commission's operation shall be covered from the State budget, as regards the part at the disposal of the minister competent for public administration.

Act of 17 July 2001 – Law on the system of common courts (Journal of Laws of 2016, item 2062)

Article 5

§1. The Polish language is the official language.

§2. Any person with insufficient command of the Polish language has the right to testify before the court in a language known to them and to use the services of an interpreter free of charge.

§3. The court competent to consider the case in the first instance decides whether to assign an interpreter to the person referred to in §2. The application for assigning an interpreter, when submitted during court proceedings, shall be considered by the court of the instance in which the case is being examined.

PROVISIONS ON CULTURE

Act of 29 December 1992 on radio and television broadcasting (Journal of Laws of 2016, item 639, as amended)

Article 2

1. Only the public radio and television broadcasters and natural persons, legal person, as well as private companies which obtained the relevant licence have the right to broadcast radio and television programmes – or in the case of television programmes transmitted solely through IT systems – which had the programmes entered into the relevant register.

2. The provisions of the Act shall not apply to:

- 1) programmes broadcast or transmitted solely within a single building;
- 2) programmes broadcast or transmitted in a system, where transmitting and receiving equipment belongs to the same person engaged in business activity or other registered public activity, and where the content of the programme is limited to matters relating to that activity and is addressed either to employees or another particular group of people connected to the broadcaster;
- 3) cable network programmes, if the number of individual recipients does not exceed 250;
- 4) ⁽⁵⁾ radio programmes broadcast solely through IT systems or audio services on demand;
- 5) ⁽⁶⁾ communication with the use of electronic means of communication;
- 6) ⁽⁷⁾ digital versions of journals and magazines and newspapers made available in IT systems, provided they do not consist in large part of audiovisual programmes;
- 7) ⁽⁸⁾ gambling and betting services, unless they are part of a media service programme.

Article 18

1. Programmes or other broadcasts may not encourage actions contrary to law and Poland's *raison d'État* or propagate attitudes and beliefs contrary to moral values and social interest. In particular, they may not contain any incitement to hatred or discrimination on grounds of race, disability, sex, religion or nationality.

Article

21(1)(a) Public radio and television programmes shall:

8a) take into account the needs of national and ethnic minorities and the community using the regional language, including broadcasting news programmes in languages of national and ethnic minorities and in the regional language.

Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended)

Article 18

1. Public authorities shall be obligated to take appropriate measures to support the activity aimed at protection, maintenance and development of minority cultural identity.

2. The measures referred to in Paragraph 1 may, in particular, include targeted or special-purpose subsidies to finance:

- 1) the activity of cultural institutions, artistic movement and folk art of minorities, and artistic events of significance for the minority culture;
- 2) investments contributing to the preservation of minority cultural identity;
- 3) publication of books, journals, periodicals and leaflets in minority languages or in the Polish language in the printed form or by the use of other video and sound recording techniques;
- 4) support for TV and radio programmes made by minorities;
- 5) protection of sites associated with the minorities' culture;
- 6) activities of local cultural clubs;
- 7) building up libraries and documenting minority cultural and artistic life;
- 8) providing various forms of children and youth education;
- 9) dissemination of knowledge about minorities;
- 10) other programmes pursuing the objectives referred to in Paragraph 1 and promoting civic integration of minorities.

3. The grants referred to in Paragraph 2, covered by the State budget in a part that is at the disposal of the minister competent for religious denominations and national and ethnic minorities, may be awarded without an open tender procedure. Each year, the minister competent for religious denominations and national and ethnic minorities shall announce the procedural principles for cases related to awarding grants, as referred to in Paragraph 2. Provisions of Articles 14 – 18 of the Act of 24 April 2003 on public benefit and volunteer work (Journal of Laws, No 96, item 873 and of 2004, No 64, item 593, No 116, item 1203, and No 210, item 2135) shall apply accordingly.

3a. ⁽¹⁾ The total amount of grants and subsidies awarded over subsequent years for investments referred to in Paragraph 2 point 2, outside of the EU budget, may not exceed 90% of the investment's estimated value.

4. The measures referred to in Paragraph 1 may also include funds from a local government unit's budget transferred to organisations or institutions performing tasks related to the protection, maintenance and development of the minorities' cultural identity.

5. ⁽²⁾ The core grants referred to in Paragraph 2 may be awarded to minority organisations or cultural organisations of considerable significance for the minorities' culture. Article 122(4) of the Act of 27 August 2009 on public finance (Journal of Laws No 157, item 1240) applies accordingly.

PROVISIONS ON EDUCATION

Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws of 2015, item 573, as amended)

Article 17

The exercise of the right of persons belonging to minorities to learn or to be instructed in the minority language, and also the right of these persons to education of the minority's history and culture shall be performed in accordance with the principles and procedures specified in the Act of 7 September 1991 *on the school education system* (Journal of Laws of 2004, No 256, item 2572; No 273, item 2703; and No 281, item 2781).

Act of 7 September 1991 on the school education system (Journal of Laws of 2004, No 256, item 2572, as amended)

Article 13

1. Public schools and institutions shall enable pupils to retain their sense of national, ethnic, linguistic and religious identity, and in particular shall make it possible for them to learn their own language, history and culture.
2. At the request of parents, the educational instruction referred to in Paragraph 1 may be conducted in:
 - 1) separate groups, sections or schools;
 - 2) groups, sections or schools – with additional language classes and the minority's history and culture classes;
 - 3) interschool teaching groups.
3. The minister competent for the educational and pedagogical matters shall determine, by way of regulation, the conditions and manner in which schools and institutions should perform the tasks referred to in Paragraphs 1 and 2, in particular the minimum number of students for whom particular forms of education referred to in Paragraph 2 may be organised.
4. The didactic and educational work of public schools shall ensure maintenance of the regional culture and tradition.

5. Textbooks and auxiliary books aiming to teach pupils to the extent necessary to sustain the sense of national, ethnic and linguistic identity may be co-financed from the State budget part administered by the minister competent for educational and pedagogical matters.

6. The minister competent for educational and pedagogical matters shall take measures to ensure the possibility to train teachers and to ensure access to textbooks for public schools and institutions referred to in Paragraph 1.

7. The minister competent for educational and pedagogical matters shall take measures to popularise the knowledge of history, culture, language and religious traditions of the national and ethnic minorities and of the community using the regional language.

Article 58

1. A public school or institution shall be established pursuant to a memorandum of association specifying its type, name and seat.

2. The memorandum of association of a public school, in which compulsory education is introduced, shall determine, next to data specified in Paragraph 1, its territorial scope (district), especially the names of the towns/villages (in towns – names of streets or their parts) belonging to its district, and in the case of a primary school also its reporting branches. District shall not be determined for public schools run by a natural person or a legal person other than the local government unit, unless the person running the school requests it.

2a. ⁽¹⁸⁸⁾ Districts shall not be determined for special schools, integration schools, bilingual schools, schools for national and ethnic minorities and the community using the regional language, sports schools, athletic schools, art schools, schools in penitentiaries, youth detention centres, jails and arrest houses.

3. ⁽¹⁸⁹⁾ Establishment of a public school or institution by a legal person other than the local government unit or natural person shall require an authorisation of a competent body of the local government unit charged with the task to supervise public schools or institutions of a given type, and in the case of art schools the authorisation of the minister competent for culture and protection of national heritage.

4. The application for the authorisation referred to in Paragraph 3 along with the draft memorandum and statute should be submitted no later than by 30 September of the year preceding the year in which the school or the facility is to start its operation. This deadline may be extended with the consent of the competent body of the local government unit referred to in Paragraph 3 or the minister competent for culture and protection of national heritage.

5. The minister competent for educational and pedagogical matters, and in respect of art schools the minister competent for culture and protection of national heritage, shall specify, by way of a regulation, the detailed rules and conditions of granting and withdrawing a consent for the establishment of a public school or institution so that establishment of public schools by legal or natural persons could facilitate the improvement of the educational conditions as well as positively complement the network of public schools within a given area.

6. The body or the person referred to in Article 5(2), establishing a school or an institution, shall sign a memorandum of association and produce the first statute.

7. The memorandum and statute of a public school or institution shall be sent to the competent superintendent of schools and other bodies competent for the pedagogical supervision of the school or the institution.

Regulation of the Minister of National Education of 14 November 2007 on the conditions and manner of performance by preschools, schools and public educational institutions of tasks supporting national, ethnic and linguistic identity of students from national and ethnic minorities and the community using the regional language (Journal of Laws of 2014, item 263)

Under Article 13(3) of the Act of 7 September 1991 on the school education system (Journal of Laws of 2004, No 256, item 2572, as amended²⁾) it is hereby ordered as follows:

§ 1. 1. Public preschools, schools and institutions shall allow the pupils belonging to national and ethnic minorities and the community using the regional language referred to in the Act of 6 January 2005 on national and ethnic minorities and on the regional language (Journal of Laws No 17, item 141 and No 62, item 550), to maintain and develop the sense of national, ethnic and linguistic identity by providing:

- 1) classes on national or ethnic minority language, hereinafter referred to as the 'minority language', and the regional language;
- 2) classes on minority's history and culture.

2. In order to enable the pupils belonging to national and ethnic minorities and the community using the regional language to maintain and develop the sense of national, ethnic and linguistic identity, including the knowledge about their own history and culture, public preschools, schools and institutions may provide teaching of the geography of the country, with which the given minority identifies itself, as well as art classes or other additional activities.

§ 2. 1. Teaching of a minority or regional language in preschools and teaching of minority or regional language, as well as a minority's history and culture at schools shall be organised by the headmaster of a preschool or school at the written request submitted by the pupil's parents (or legal guardians) on a voluntary basis.

2. The request referred to in Paragraph 1 shall be submitted:

- 1) to the preschool headmaster after registering the child to the preschool;
- 2) to the school headmaster after registering the pupil to the school or during the course of school education before 30 April.

3. The request referred to in Paragraph 1 shall pertain to the entire period for which the child is registered to the preschool, and the entire period of the pupil's education at school.

4. ⁽¹⁾ Submission of the request referred to in Paragraph 1 shall equal:

- 1) in the case of teaching of a minority or regional language – including these classes in the pupil's compulsory educational activities;
- 2) in the case of teaching of the minority's history and culture – including these classes in the pupil's additional educational activities.

§ 3. 1. In preschools, teaching the minority or regional language may be organised:

- 1) at preschools or in preschool sections with a minority or regional language as the language of instruction, notwithstanding Paragraph 2;
- 2) at preschools or in preschool sections with two languages of instruction: Polish and a minority or regional language;
- 3) at preschools or in preschool sections with 4 hours per week of classes conducted in a minority or regional language as the language of instruction;
- 4) in interpreschool minority or regional language teaching groups.

2. For children meeting the requirement of the annual preschool preparation in preschools and preschool sections of primary schools, where the language of instruction is the minority or regional language, classes shall be conducted also in Polish four hours a week.

§ 4. At schools, teaching of a minority or regional language may be organised:

- 1) at schools or in sections with minority or regional language as the language of instruction where classes are conducted in this language, except for the classes involving: a) ⁽²⁾ at primary schools:
 - in grades 1–3 (first stage of education – early school education) – the field of Polish language education,
 - in grades 4–6 (second stage of education) – Polish and the part of history and society curriculum concerning the history of Poland,b) in the remaining school types – Polish, the part of history curriculum concerning the history of Poland and the part of geography curriculum concerning the geography of Poland;
- 2) ⁽³⁾ at schools or in school sections, where educational activities are conducted in two languages: Polish and a minority or regional language being the second language of instruction, provided that at the second, third and fourth stage of education the classes held in two languages shall be conducted in at least four compulsory subjects taught at the given stage of education, with the exception of the classes involving Polish, the part of history curriculum concerning the history of Poland and the part of geography curriculum concerning the geography of Poland;
- 3) at schools or in school sections with additional teaching of a minority or regional language, conducted in the form of separate classes with Polish as the language of instruction, with the exception of the minority or regional language classes;
- 4) in interschool minority or regional language teaching groups.

§ 5. The sections referred to in Article 3(1)(1)–(3) and Article 4(1)–(3) shall be established, if the following respective numbers of pupils apply for learning minority languages or the regional language:

- 1) in preschools, at the level of the given section – at least 7 children;
- 2) at primary and lower secondary schools at the level of the given grade –at least 7 pupils;
- 3) at upper secondary schools at the level of the given grade –at least 14 pupils.

§ 6. Should the number of declared students be smaller than those set out in Article 5(2) and (3), teaching of the minority or regional language at schools shall be conducted in intersection or interclass groups, and at the same time:

- 1) the intersection group comprised of pupils from various sections at the level of the given grade: there cannot be fewer than 7 pupils at primary schools and lower secondary schools and fewer than 14 pupils at upper secondary schools;
- 2) the interclass group comprised of pupils from various classes, where teaching is arranged in accordance with the organisation of teaching in combined classes: there cannot be fewer than 3 or more than 14 pupils.

§ 7. Where justified, with the consent of the authority governing a preschool or school, the number of pupils in sections, intersection or interclass groups may be smaller than set out in Articles 5 and 6.

§ 8. 1. If due to the insufficient number of the registered pupils or lack of a teacher there is no possibility of arranging minority or regional language classes in the manner set out in Article 3(1)(1)–(3) and Article 4(1)–(3), the authority governing the preschool or school shall organise interpreschool or interschool groups, taking into account the local communication conditions. Preschool or school headmaster shall submit the list of pupils registered to minority or regional language classes to the governing authority.

2. The number of pupils in an inter-preschool or inter-school group cannot be lower than 3 or higher than 20.

3. The weekly number of hours of teaching the minority or regional language in interpreschool or interschool groups is 3.

§ 8a. ⁽⁴⁾ 1. At schools or in school sections with a minority or regional language as the language of instruction, where educational activities are conducted in this language:

- 1) in grades 1–3 of primary school (first stage of education – early school education):
 - a) in a three-year education period – the minimum number of hours of minority or regional language classes is 450,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 1 – 4 hours,
 - grade 2 – 5 hours,
 - grade 3 – 5 hours;
- 2) in grades 4–6 of primary school (second stage of education):
 - a) in a three-year education period:
 - the minimum number of hours of minority or regional language classes is 380,
 - the minimum number of hours of the minority’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 4 – 4 hours.
 - grade 5 – 4 hours,
 - grade 6 – 5 hours;
- 3) at lower secondary schools (third stage of education):
 - a) in a three-year education period:
 - the minimum number of hours of minority or regional language classes is 380,
 - the minimum number of hours of the minority’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:

- grade 1 – 4 hours,
 - grade 2 – 5 hours,
 - grade 3 – 4 hours;
- 4) at basic vocational schools (fourth stage of education):
- a) in a three-year education period:
- the minimum number of hours of minority or regional language classes is 160,
 - the minimum number of hours of the minority's history and culture classes is 30,
- b) weekly number of hours of classes referred to under a) for pupils in each grade is:
- grade 1 – 2 hours,
 - grade 2 – 2 hours,
 - grade 3 – 2 hours;
- 5) at general upper secondary schools (fourth stage of education):
- a) in a three-year education period:
- the minimum number of hours of minority or regional language classes at the basic level is 360,
 - the minimum number of hours of the minority's history and culture classes is 30,
- b) weekly number of hours of classes referred to under a) for pupils in each grade is:
- grade 1 – 5 hours,
 - grade 2 – 4 hours,
 - grade 3 – 4 hours;
- 6) at technical upper secondary schools (fourth stage of education):
- a) in a four-year education period:
- the minimum number of hours of minority or regional language classes at the basic level is 360,
 - the minimum number of hours of the minority's history and culture classes is 30,
- b) weekly number of hours of classes referred to under a) for pupils in each grade is:
- grade 1 – 3 hours,
 - grade 2 – 4 hours, – grade 3 – 3 hours.
 - grade 4 – 3 hours.

2. At schools or in school sections with educational activities conducted in two languages:

Polish and the minority or regional language as the second language of instruction:

- 1) in grades 1–3 of primary school (first stage of education – early school education):
- a) in a three-year education period – the minimum number of hours of minority or regional language classes is 480,
- b) weekly number of hours of classes referred to under a) for pupils in each grade is:
- grade 1 – 4 hours,
 - grade 2 – 5 hours,
 - grade 3 – 5 hours;
- 2) in grades 4–6 of primary school (second stage of education):
- a) in a three-year education period:
- the minimum number of hours of minority or regional language classes is 510,
 - the minimum number of hours of the minority's history and culture classes is 30,

- b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 4 – 6 hours, – grade 5 – 6 hours,
 - grade 6 – 5 hours;
 - 3) at lower secondary schools (third stage of education):
 - a) in a three-year education period:
 - the minimum number of hours of minority or regional language classes is 450,
 - the minimum number of hours of the minority’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 1 – 5 hours,
 - grade 2 – 6 hours,
 - grade 3 – 4 hours;
 - 4) at basic vocational schools (fourth stage of education):
 - a) in a three-year education period:
 - the minimum number of hours of minority or regional language classes is 160,
 - the minimum number of hours of the minority’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 1 – 2 hours,
 - grade 2 – 2 hours,
 - grade 3 – 2 hours;
 - 5) at general upper secondary schools (fourth stage of education):
 - a) in a three-year education period:
 - the minimum number of hours of minority or regional language classes at the basic level is 360,
 - the minimum number of hours of the minority’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 1 – 4 hours,
 - grade 2 – 5 hours,
 - grade 3 – 4 hours;
 - 6) at technical upper secondary schools (fourth stage of education):
 - a) in a four-year education period:
 - the minimum number of hours of minority or regional language classes at the basic level is 360,
 - the minimum number of hours of the minority’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 1 – 3 hours,
 - grade 2 – 4 hours,
 - grade 3 – 3 hours, – grade 4 – 3 hours.
3. At schools or in school sections with supplementary teaching of a minority or regional language, conducted in the form of separate classes:
- 1) in grades 1–3 of primary school (first stage of education – early school education):
 - a) in a three-year education period – the minimum number of hours of minority or regional language classes is 290,

- b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 1 – 3 hours,
 - grade 2 – 3 hours,
 - grade 3 – 3 hours;
- 2) in grades 4–6 of primary school (second stage of education):
 - a) in a three-year education period:
 - the minimum number of hours of minority or regional language classes is 290,
 - the minimum number of hours of the minority’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 4 – 3 hours, – grade 5 – 4 hours,
 - grade 6 – 3 hours;
- 3) at lower secondary schools (third stage of education):
 - a) in a three-year education period:
 - the minimum number of hours of minority or regional language classes is 290,
 - the minimum number of hours of the minority’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 1 – 3 hours,
 - grade 2 – 4 hours,
 - grade 3 – 3 hours;
- 4) at basic vocational schools (fourth stage of education):
 - a) in a three-year education period:
 - the minimum number of hours of minority or regional language classes is 160,
 - the minimum number of hours of minority country’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 1 – 2 hours,
 - grade 2 – 2 hours,
 - grade 3 – 2 hours;
- 5) at general upper secondary schools (fourth stage of education):
 - a) in a three-year education period:
 - the minimum number of hours of minority or regional language classes at the basic level is 270,
 - the minimum number of hours of minority country’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:
 - grade 1 – 3 hours,
 - grade 2 – 4 hours,
 - grade 3 – 3 hours;
- 6) at technical upper secondary schools (fourth stage of education):
 - a) in a four-year education period:
 - the minimum number of hours of minority or regional language classes at the basic level is 270,
 - the minimum number of hours of minority country’s history and culture classes is 30,
 - b) weekly number of hours of classes referred to under a) for pupils in each grade is:

- grade 1 – 3 hours,
- grade 2 – 3 hours, – grade 3 – 2 hours, – grade 4 – 2 hours.

4. For learning a minority or regional language in the extended scope, in addition to the dimension of hours allocated for learning this language in the basic scope, specified in Paragraph 1 (5) and (6), Paragraph 2 (5) and (6), and Paragraph 3 (5) and (6):

- 1) in the general upper secondary schools – at least 180 hours in a three-year education period; 2) in the technical upper secondary schools – at least 180 hours in a four-year education period.

5. The hours of learning a minority or regional language and of learning students' own history and culture shall be specified by the school headmaster in the curriculum referred to in the legislation on framework curricula in public schools.

Article 8b. ⁽⁵⁾ The school may teach geography of the country with whose cultural area the national minority identifies itself, in the amount of 15 hours at second, third and fourth stage of education, within the hours at the disposal of the school headmaster referred to in Article 2(1)(5)(b) of the Regulation of the Minister of National Education of 7 February 2012 on the framework curricula in public schools (Journal of Laws, item 204) or hours which may be granted, at the request of the school headmaster, by the bodies running the school.

Article 9. ⁽⁶⁾ The teaching of a minority language, the regional languages, a pupil's own history and culture as well as geography of the country with whose cultural area a national minority identifies itself is based on the curricula approved for use at schools by the school headmaster and the textbooks approved for use at schools by the minister competent for education, as set out in the provisions on approving for use at schools of curricula for preschool and general education and approving textbooks for use at schools.

Article 10. The bodies running schools as well as headmasters of preschools, schools and public facilities shall perform the tasks referred to in Article 1 in cooperation with the organisations of national and ethnic minorities and the community using the regional language.

Article 11. ⁽⁷⁾ 1. Kindergartens and schools shall, if necessary, take additional actions to maintain and develop a sense of ethnic identity for children and young people of Roma origin and to support their education, in particular schools may provide compensatory classes.

2. A preschool and school can hire a Roma education assistant as a teacher's support. The Roma education assistant provides assistance to the Roma pupils and young people in contacts with the preschool and school community and cooperates with their parents as well as the preschool and school.

Article 12. The way of organisation of teaching the language and culture of the country of origin for pupils who are not the Polish citizens is specified in the provisions on admitting of non-Polish citizens to public preschools, schools, teacher training institutions and establishments.

Article 13. The conditions and manner of maintaining the sense of religious identity are specified in the provisions on the conditions and method of organisation of religious education in public preschools and schools.

Article 14. The Regulation of the Minister of National Education and Sport of 3 December 2002 on the conditions and manner of performance by schools and public educational institutions of tasks supporting national, ethnic, linguistic and religious identity of students from national minorities and ethnic groups (Journal of Laws No 220, item 1853).

Article 15. This Regulation shall enter into force 14 days after its publication.

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- 1) The Minister of National Education manages the branch of government administration – educational and pedagogical matters on the basis of Article 1(2) of the Ordinance of the Prime Minister of 18 July 2006 on the detailed scope of competence of the Minister of National Education (Journal of Laws, No 131, item 907).
- 2) Amendments to the consolidated text of the said Act were published in the Journal of Laws of 2004, No 273, item 2703 and No 281, item 2781, of 2005, No 17, item 141, No 94, item 788, No 122, item 1020, No 131, item 1091, No 167, item 1400 and No 249, item 2104, of 2006, No 144, item 1043; No 208, item 1532; and No 227, item 1658 and of 2007, No 42, item 273, No 80, item 542, No 115, item 791, No 120, item 818, No 180, item 1280 and No 181, item 1292.

THE ACT WAS REPEALED ON 31.03.2015 PURSUANT TO ARTICLE 1(27)(a) OF THE ACT AMENDING THE ACT ON THE SCHOOL EDUCATION SYSTEM AND CERTAIN OTHER ACTS, Journal of Laws of 2015, item 357.

Regulation of the Minister of National Education of 14 April 1992 on the conditions and method of organisation of religious education in public preschools and schools (Journal of Laws, No 36, item 155, as amended)

Pursuant to Article 12(2) of the Act of 7 September 1991 on the school education system (Journal of Laws, No 95, item 425 and of 1992 No 26, item 113), we hereby order as follows:

§ 1

1. In public preschools religious education shall be organised within the framework of preschool curricular classes, at the request of parents (legal guardians). In public primary schools, lower secondary schools, post-primary and post-lower secondary schools, hereinafter referred to as “schools”, religious and ethics education shall be organised within the framework of school curricular classes:

- 1) in primary and lower secondary schools – at the request of parents (legal guardians),
- 2) in post-primary and post-lower secondary schools – at the request of either parents (legal guardians) or students themselves; after coming of age, students themselves decide about participation in religious and ethics education.

2. The request referred to in Paragraph 1 shall be made in the form of a written statement. The statement does not have to be renewed in the subsequent academic year but may be changed.

3. Participation or non-participation in preschool or school religious and ethics education must not give rise to discrimination by anybody in any form.

§ 2

1. Preschools and schools shall be obliged to organise religious education classes for groups of not fewer than 7 pupils (preschoolers) from one class or section. For a smaller number of pupils (preschoolers) in a class or section, religious education in preschools or schools should be organised in inter-section or inter-class groups.
2. If fewer than 7 pupils (preschoolers) apply for religious education of a given denomination or several denominations taught together in a school or preschool, the school or preschool governing authority, in agreement with the relevant church or religious association, shall organise religious education in an inter-school group or at an external religious education facility.
3. If an inter-school group or an external religious education facility attended by school pupils (preschoolers) are governed by different authorities, then such authorities shall specify, by way of agreement, the principles for running groups or religious education facilities.
4. In specially justified cases, the authority governing a preschool or school, within the funds at its disposal, may – at the request of a church or religious association – organise religious education of a specific denomination in a way different than defined in Paragraphs 1 to 3.
5. It shall be allowed to make classrooms available, free of charge, on dates when no classes are held, for catechetical purposes to churches and religious associations, also in the case of those that do not organise religious education within the framework of the system of education.

§ 3

1. For students who express such an intention themselves or for whom such an intention is declared by their parents in accordance with Article 1(1), the school shall organise classes in ethics on the basis of the programmes approved for school use pursuant to the provisions issued under the Article 22a(8) of the Act of 7 September 1991 on the school education system.
2. Depending on the number of declared students, classes in ethics are organised pursuant to Article 2(1)-(3). The ethics classes can be organised without the agreement referred to in Article 2(2).
3. Schools shall be obliged to guarantee care or general educational classes for the period of religion or ethics classes for students who do not attend religious or ethics education at the school.

§ 4

Religious education shall be provided on the basis of programmes prepared and approved by the competent authorities of churches and other religious associations, submitted to the Minister of National Education for information. The same principles shall apply with respect to textbooks for religious education.

Article 5

1. Pre-schools or schools shall employ a teacher of religious education, a preschool or school catechist, hereinafter called 'religion teacher', exclusively on the basis of a written delegation to the specific preschool or school, issued by:
 - 1) in the case of the Catholic Church – the competent diocesan,

- 2) in the case of other churches and other religious associations – competent authorities of those churches and religious associations.
2. The cancellation of the delegation referred to in Paragraph 1 shall be equivalent to the loss of the right to teach religious education in a given preschool or school. Competent authorities of churches or religious associations shall notify the school or preschool principal and the authority governing the school or preschool about the cancellation of the delegation. For the period until the end of the school year, the church or other religious association may delegate another person for teaching religious education, covering all related costs.
3. A religion teacher who conducts classes for an inter-school group or at a religious education facility, or teaches at a number of schools or preschools shall be employed by the school or preschool principal indicated by the school governing authority referred to in Article 2(2), or by the authority indicated in the agreement referred to in Article 2 Paragraph.
4. Religion teachers shall be employed in accordance with the Teacher’s Chart.

Article 6

Professional qualifications of religion teachers shall be defined respectively by the Polish Bishops Conference and competent authorities of other churches and religious associations – in agreement with the Minister of National Education.

Article 7

1. The religion teacher shall be a member of the school board of teachers. However, he/she shall not assume the tasks of a class tutor.
2. The religion teacher shall have the right to organise meetings with parents of their pupils, also in addition to the general meetings appointed by the school or preschool, after agreeing with the school or preschool headmaster the date and place of such a meeting.
3. The religion teacher may run social, religious and ecumenical organisations on the premises of the school, on conditions defined in Article 56 of the Act on the school education system. The religion teacher shall not be entitled to additional remuneration for running organisations.
4. The religion teacher shall be obliged to complete the class record.
5. The religion teacher teaching in an inter-class (inter-section) or inter-school group or at religious education facility shall be obliged to keep a separate class record, containing identical entries as the school class record.

Article 8

1. Religious education in public preschools and schools of all types shall be realised adopting 2 preschool classes (adequately to a given level of teaching) or two class hours per week. This number of hours may be decreased only with the consent of the diocesan of the Catholic Church or of the authorities of other churches or religious associations.
2. The school principal shall define the weekly number of hours of classes in ethics.

Article 9

1. The grade for religious education or ethics shall be placed on school certificates directly following the grade for behaviour. In order to eliminate potential manifestations of intolerance, no information should be placed which would reveal the class of which religion or ethics a student attended.
2. The grade for religious education (ethics) shall have no impact on the student's promotion to next grade.
3. The grade for religious education (ethics) shall be awarded according to the scale of grades adopted in a given class.
4. Students attending religious or ethics education organised by school governing authorities in accordance with the principles defined in Article 2(2)-(4) and Article 3(2) shall receive the grade for religious (ethics) education on the school certificate issued by their school on the basis of a certificate of the religion or ethics teacher. **Article 10**

1. Students attending religious education classes shall be granted three consecutive days off from school in order to participate in the Lent Retreat, provided their religion or denomination to which they belong imposes such an obligation on its believers. In such case, students shall be under the care of the religion teacher. Detailed principles concerning organisation shall be subject to separate arrangements between the parties organising the retreat and the school.
2. The school principal should be notified at least one month in advance of the date of retreat.
3. If religious education classes for more than one religion are held in a school, churches and religious associations should attempt to agree on the common date for the Lent Retreat date.

Article 11

1. Inspectors appointed by diocesans of the Catholic Church and by competent authorities of other churches and religious associations, shall be entitled to inspect religious education classes. The list of such persons shall be passed for information to authorities performing pedagogical supervision.
2. With respect to teaching methodology and consistency with the curriculum, pedagogical supervision over religious and ethics education shall be conducted by the school (preschool) principal and employees of pedagogical supervision, on the conditions specified in separate regulations.
3. In justified cases, conclusions from conducting pedagogical supervision may be passed, respectively, to the Catholic Church diocesan and competent authorities of other churches and religious associations.

Article 12

A crucifix may be placed in school classrooms. Also, prayers before and after the day of classes may be held. Holding prayers at school should be the expression of common aspirations of students and of the tact and subtlety on the part of teachers and tutors.

Article 13

1. The following legal acts shall lose their validity:
 - 1) the instruction of the Minister of National Education of 3 August 1990 on the Return of Religious Education to Schools in the School Year 1990/91,

- 2) the instruction of the Minister of National Education of 24 August 1990 on the Return of Religious Education to Schools in the School Year 1990/91, specifying the principles of cooperation with churches and religious associations other than the Catholic Church, 3) Decision No 25 of the Minister of National Education of 31 August 1991, 4) without prejudice to the provisions of Paragraph 2.
2. The instructions listed in Paragraph 1 concerning religious education in preschools and guardianship and pedagogical institutions shall remain in force until ordinances provided for in the provisions on the relation of the state to churches and other religious associations are issued.

Article 14

This Regulation shall enter into force 14 days after publication, with the exception of Article 9, which shall enter into force on 1 September 1992.

Regulation of the Minister of National Education of 22 December 2015 r. on the principles of distribution of the educational part of the general subvention for local government units in 2016 (Journal of Laws of 2015, item 2294)

Pursuant to Article 28(6) of the Act of 13 November 2003 on the income of local government units (Journal of Laws of 2015, item 513, as amended) I hereby order as follows:

§ 1. 1. The educational part of the general subvention for the year 2016 shall be divided between individual local government units, taking into account educational tasks implemented by these units, specified in the Act of 7 September 1991 on the school education system (Journal of Laws of 2015, item 2156).

2. Whenever the Regulation mentions:

- 1) school tasks – this shall mean tasks related to the operation of primary schools, lower secondary schools, upper secondary schools, special schools, centres of lifelong learning, centres of practical training, centres of additional and inservice training, teacher training institutions, colleges of social service education, schools organized in medicinal units, art schools, units of economic and administrative support of schools and institutions, providing conditions for conducting qualified vocational courses;
- 2) extra-school tasks – this shall mean tasks related to:
 - a) running special preschools (including special wards in mainstream preschools), preschool sections organised in the mainstream and special primary schools, teacher training centres, psychological and pedagogical counselling centres, including specialist clinics, special education and training centres, special education centres, youth education centres, youth social therapy centres, rehabilitation and education centres, lifelong learning centres, practical teaching centres, centres of additional and in-service training, in terms of running extracurricular forms of education that make it possible to attend compulsory education, non-school care centres enabling the development of interests and talents, and the use of different forms of recreation of free time, pedagogical libraries, school day-care rooms for pupils and preschoolers, holiday and summer camps,

- b) providing material aid to students;
 - c) operating student hostels and boarding houses as well as children's guest houses;
 - d) running school youth shelters;
- 3) educational part – this shall mean the educational part of the general subvention for local government units provided for in the Budget Act for 2016;
 - 4) base school year – this shall mean the school year 2015/2016;
 - 5) posts – it means the number of teachers employed full-time and part-time (following the calculation into full-time workplace) on the basis of Act of 26 January 1982 – Teacher's Charter (Journal of Laws of 2014, item 191, as amended), excluding the number of teachers on parental leave and unpaid leave, established on the basis of the data from the School Education Information System for the base school year as of 30 September 2015 r. and 10 October 2015;
 - 6) those staying at children's guest houses – this shall mean the number calculated as a sum of pupils at children's guest houses on the different days of the year divided by 365 and rounded to the nearest integer such that the numbers in decimal places below 50 are left out and those amounting to at least 50 are rounded up to a full integer; the number of pupils on the first and last day of their stay at the children's guest house is determined by multiplying the number of pupils by an index calculated as a number of hours of the pupil's stay in a day divided by 24;
 - 7) children and youth or pupils with mild, moderate, significant or profound intellectual disability – this shall mean children and youth or pupils holding an appropriate certificate recommending special education needs provision or a certificate recommending rehabilitation and education classes, referred to in art. 71b(3) of the Act mentioned in § 1 Paragraph 1 of the Regulation, which confirms a mild, moderate, significant or profound intellectual disability or mild, moderate, significant or profound mental retardation.

§ 2. The division of the educational part shall be carried out taking particular account of:

- 1) Financing of the current expenditure (including employees' remuneration with derivatives) of schools and establishments referred to in § 1(2)(1) and § 1(2)(2) operated by local government units;
- 2) Subsidising public and non-public schools and establishments referred to in § 1(2)(1) and § 1(2)(2), operated by legal entities other than local government units and by natural persons;
- 3) Financing tasks in the field of additional training and in-service training of teachers, including didactic counselling, provided for in Article 70a of the Act referred to in § 1(2)(5);
- 4) Financing of expenditure connected with individual course of school instruction;
- 5) Co-financing expenditure related to the payment of gratuities to teachers on the basis of Article 20(2) of the Act referred to in § 1(2)(5) and the granting of leaves for the betterment of health to teachers;
- 6) Co-financing pupils who are not Polish citizens;
- 7) Financing bonuses and premiums for tutors of professional practice;
- 8) Financing early support for development of children referred to in Article 71b(2a) of the Act referenced in § 1(1);
- 9) Financing deductions for the social services fund for retired teachers and teachers receiving pensions;

- 10) Financing remuneration of teachers participating in carrying out the oral part of the maturity exam;
- 11) Financing the costs of the examination boards established by local government units due to teachers' professional promotion;
- 12) Financing tasks related to equipping preventive health care clinics and first aid treatment.

§ 3. The division of the educational part, following a deduction of the reserve, referred to in Article 28(2) of the Act of 13 November 2003 on income of local government units, at the disposal of the minister competent for public finance, shall be carried out in accordance with the algorithm specified in the annex to the Regulation.

§ 4. The Regulation shall enter into force on 1 January 2016⁽²⁾.

ANNEX

ALGORITHM FOR THE DISTRIBUTION OF THE EDUCATIONAL PART OF THE GENERAL SUBVENTION FOR LOCAL GOVERNMENT UNITS IN 2016

1. The educational part (SO), specified in the Budget Act for 2016, following a deduction of the reserve referred to in Article 28(2) of the Act of 13 November 2003 on income of local government units (Journal of Laws of 2015, item 513, as amended), consists of the base amount (SOA), the supplementary amount (SOB) and the amount for extra-school educational tasks (SOC):

$$SO = SOA + SOB + SOC$$

where the symbols have the following meaning:

- 1) **SO** – educational part, following a deduction of the reserve referred to in Article 28(2) of the Act of 13 November 2003 on income of local government units,
 - 2) **SOA** – base amount of the educational part in accordance with the financial standard A of the division of educational part for school tasks implementation,
 - 3) **SOB** – supplementary amount of the educational part in accordance with P weights increasing the financial standard A for the implementation of school tasks,
 - 4) **SOC** – amount of the educational part for extra-school educational tasks.
2. For each local government unit governing or subsidising primary, lower secondary and upper secondary schools as well as educational system institutions, a total calculative number of pupils (Up) for a base school year shall be obtained according to the formula below:

$$Up = \sum_{i=1}^N Up,i + \sum_{i=1}^N [(Ur,i + Uu,i + Uz,i) \cdot D_i]$$

where the symbols have the following meaning:

- 1) **Up** – total calculative number of pupils;

2) **Up,i** – calculative number of pupils in an i-th local government unit, taking into consideration index i: between 1 and L_g for communes (including cities with county rights in terms of tasks performed by a commune), between L_g+1 and L_m for cities with county rights, between L_m+1 and L_p for other counties, between L_p+1 and L_s for local governments of voivodeships for a base school year, where:

L_g – stands for the number of communes (including cities with county rights in terms of tasks performed by a commune) as of 1 January 2016,

L_m – stands for the sum of the number of communes L_g and the number of cities with county rights as of 1 January 2016,

L_p – stands for the sum of the number of communes L_g and the number of counties including cities with county rights as of 1 January 2016,

L_s – stands for the sum of all local government units increased by the number of cities with county rights as of 1 January 2016;

3) **Ur,i** – the statistical number of pupils of high schools in the ith local government unit, established based on the data from the School Education Information System for the base school year as of 30 September 2015 and 10 October 2015, calculated according to the formula below:

$$U_{r,i} = S_{a,i} + 0.7 \cdot S_{b,i} + 0.35 \cdot S_{c,i} + 0.5 \cdot S_{d,i} + 0.25 \cdot S_{e,i} + 0.6 \cdot S_{f,i}$$

where:

$S_{a,i}$ - stands for the number of pupils of public and non-public schools for children and youth, as well as listeners of educational institutions for teachers and colleges for social workers which provide full-time education in the i-th local government unit, excluding the number of pupils fulfilling the schooling obligation or extra-school education obligation under Article 16(8) of the Act referred to in § 1 Paragraph 1 of the Regulation,

$S_{b,i}$ - stands for the number of pupils of public schools for adults providing stationary education, as well as listeners of educational institutions for teachers and colleges for social workers which provide part-time education (evening or weekend classes) in the i-th local government unit,

$S_{c,i}$ - stands for the number of pupils of non-public schools for adults providing stationary education in the i-th local government unit,

$S_{d,i}$ - stands for the number of pupils of public schools for adults providing part-time education in the i-th local government unit,

$S_{e,i}$ - stands for the number of pupils of non-public schools for adults providing part-time education in the i-th local government unit,

$S_{f,i}$ - stands for the number of pupils fulfilling the schooling obligation or the extra-school education obligation under Article 16(8) of the Act referred to in § 1(1) of the Regulation;

index i: between 1 and L_s ;

4) **Uu,i** – supplementary number of pupils in the base school year in terms of school tasks, calculated according to the formula:

$$U_{u,i} = P_1 \cdot N_{1,i} + P_2 \cdot N_{2,i} + \dots + P_{36} \cdot N_{36,i}$$

where:

- P_1 to P_{36} denote weights,
- N_1 to N_{36} denote numbers of pupils in a local government unit with index i between 1 and L_s , assigned to weights,

defined as follows:

$P_1 = 0.40$ for pupils of primary schools for children and youth located in rural areas or cities of up to 5,000 residents – $N_{1,i}$,

$P_2 = 0.27$ for pupils of lower secondary schools for children and youth located in rural areas or cities of up to 5,000 residents – $N_{2,i}$,

$P_3 = 0.18$ additionally for pupils of primary schools for children and youth, in which the difference between the number of pupils adopted for division of the educational part and the number of pupils calculated using weights P_{13} , P_{14} , P_{15} does not exceed 70 (the weight does not include pupils calculated using weights P_{13} , P_{14} , P_{15} and pupils of special primary schools) – $N_{3,i}$,

$P_4 = 1.40$ for pupils with mild intellectual disability, social maladjustment, vulnerable to social maladjustment (based on certificates recommending special education needs provision provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation) for

pupils with behavioural disorder, prone to addictions, with chronic illnesses (based on certificates recommending special education needs provision, provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation, issued before 1 September 2011) – who require special organisation of the learning process and work methods – and for pupils of special primary schools, special lower secondary schools and special upper secondary schools at youth education centres and youth social therapy centres – who require special organisation of the learning process and work methods but who do not hold the certificates provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation - $N_{4,i}$,

$P_5 = 2.90$ pupils who are blind, with visual impairment, with a motor disability, including aphasia (based on certificates recommending special education needs provision provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation) for pupils with mental impairments (based on certificates recommending special education needs provision provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation, issued before 1 September 2011) – who require special organisation of the learning process and work methods – $N_{5,i}$,

- $P_6 = 3.60$ for pupils who are deaf, with hearing impairment, with mild or significant intellectual disability (based on certificates recommending special education needs provision provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation) – who require special organisation of the learning process and work methods – $N_{6,i}$,
- $P_7 = 9.50$ for children and youth with profound intellectual disability who fulfil the schooling obligation or education obligation through participation in rehabilitation and education classes organised in primary, lower and upper secondary schools and counselling and guidance centres; for pupils with multiple disabilities and with autism, including Asperger’s syndrome (on the basis of certificates recommending special education needs provision or certificates recommending rehabilitation and education classes, as appropriate, provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation) – who require special organisation of the learning process and work methods – $N_{7,i}$,
- $P_8 = 0.80$ additionally for disabled pupils at integration classes in primary, lower and upper secondary schools (on the basis of certificates recommending special education needs provision provided for in Article 71b (3) of the Act referred to in § 1(1) of the Regulation) – who require special organisation of the learning process and work methods – $N_{8,i}$,
- $P_9 = 0.082$ for pupils of upper secondary schools and art schools (excluding pupils of general upper secondary schools for children and youth, stage I general music schools and stage I music schools)
- $N_{9,i}$,
- $P_{10} = 0.12$ for pupils of general upper secondary schools for children and youth – $N_{10,i}$,
- $P_{11} = 0.23$ for listeners of colleges for social workers and pupils of upper secondary schools providing vocational education, including practical occupational learning, as well as for pupils with moderate or significant mental retardation and pupils with multiple disabilities (the weight does not include pupils of art schools and pupils of basic vocational schools for children and youth who are working minors receiving practical occupational education from an employer)
- $N_{11,i}$,
- $P_{12} = 0.08$ for pupils of basic vocational schools for children and youth who are working minors receiving practical occupational education from an employer – $N_{12,i}$,

- P₁₃ = 0.20** for pupils from a national or ethnic minority and the community using the regional language; for pupils of Roma origin for whom the school provides additional education tasks; the weight includes pupils whose number determined separately for each national or ethnic minority, each community using a regional language, as well as for Roma pupils in a primary school is above 84, while in a lower and upper secondary school – above 42 – $N_{13,i}$,
- P₁₄ = 1.50** for pupils from a national or ethnic minority and the community using the regional language; for pupils of Roma origin for whom the school provides additional education tasks; the weight includes pupils whose number determined separately for each national or ethnic minority, each community using a regional language, as well as for Roma pupils in a primary school does not exceed 60, while in a lower and upper secondary school does not exceed 30 – $N_{14,i}$,
- P₁₅ = 1.10** for pupils from a national or ethnic minority and the community using the regional language; for pupils of Roma origin for whom the school provides additional education tasks; the weight includes pupils whose number determined separately for each national or ethnic minority, each community using a regional language, as well as for Roma pupils in a primary school is above 60 and does not exceed 84, while in a lower and upper secondary school – above 30 and does not exceed 42 – $N_{15,i}$,
- P₁₆ = 0.40** for pupils of classes and schools providing education in a national or ethnic minority language or in a regional language and for pupils of classes and schools in which education activities are conducted in two languages: polish and a minority language or regional language which is the second language of instruction – $N_{16,i}$,
- P₁₇ = 0.20** for pupils of sport classes – $N_{17,i}$,
- P₁₈ = 1.00** for pupils of sport championship classes – $N_{18,i}$,
- P₁₉ = 1.00** for pupils studying for medical professions (weight **P₁₉** is mutually exclusive with weights **P₁₁** and **P₁₂**) – $N_{19,i}$,
- P₂₀ = 1.01** for pupils of stage I music schools – $N_{20,i}$,
- P₂₁ = 1.70** for pupils of stage II music schools – $N_{21,i}$,
- P₂₂ = 2.01** for pupils of stage I general music schools – $N_{22,i}$,
- P₂₃ = 3.36** for pupils of stage II general music schools – $N_{23,i}$,
- P₂₄ = 0.92** for pupils of upper secondary art schools – $N_{24,i}$,
- P₂₅ = 1.35** for pupils of general fine art schools – $N_{25,i}$,
- P₂₆ = 3.42** for pupils of ballet schools – $N_{26,i}$,

- $P_{27} = 1.00$ for listeners at educational institutions for teachers (weight P_{27} is mutually exclusive with weights P_{11} and P_{12}) - $N_{27,i}$
- $P_{28} = 1.00$ for pupils of special classes, special primary schools, special lower and upper secondary schools – operating within healthcare institutions – $N_{28,i}$,
- $P_{29} = 1.84$ for pupils at special groups for extracurricular educational classes or educational groups provided at primary, lower and upper secondary schools – organised within healthcare institutions– $N_{29,i}$,
- $P_{30} = 0.60$ for pupils of therapeutic classes at mainstream or integration schools – $N_{30,i}$,
- $P_{31} = 0.17$ for pupils of bilingual classes (weight P_{31} is mutually exclusive with weights: $P_{13}, P_{14}, P_{15}, P_{16}$) – $N_{31,i}$,
- $P_{32} = 0.04$ for pupils of lower secondary schools for children and youth – $N_{32,i}$,
- $P_{33} = 3.00$ for pupils of schools educating for basic professions in maritime and inland navigation, implementing the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers drawn up in London on 7 July 1978, in the education process (Journal of Laws of 1984, No 39, item 201; of 1999, No 30, item 286; and of 2013, item 1092) and holding a certificate of education process recognition obtained in compliance with separate provisions (weight P_{33} is mutually exclusive with weights P_{11} i P_{12}) – $N_{33,i}$,
- $P_{34} = 0.68$ for participants in vocational qualification courses organised by schools and institutions (the weight does not include participants in vocational qualification courses organised by institutions run by legal entities other than local government units or natural persons) – $N_{34,i}$,
- $P_{35} = 0.045$ for pupils of first, second and third grades of primary schools for children and youth, as well as stage I general music schools – $N_{35,i}$;
- $P_{36} = 1.5$ for pupils benefiting from additional, free Polish language classes provided for in Article 94a (4) and (4b) of the Act referred to in § 1(1) of the Regulation – $N_{36,i}$,

- 5) $U_{z,i}$ – calculative number of pupils or children and youth entitled to or benefiting from extracurricular activities in the base school year is calculated according to the formula:

$$U_{z,i} = P_{37} \cdot N_{37,i} + P_{38} \cdot N_{38,i} + \dots + P_{50} \cdot N_{50,i}$$

where:

- P_{37} to P_{50} denote weights,
- N_{37} to N_{50} denote numbers of pupils in a local government unit with index i between 1 and L_s , assigned to weights,

defined as follows:

P₃₇ = 4.000	for pupils who are deaf, with hearing impairment, blind, with visual impairment, with motor disability, including aphasia, with mild, moderate, significant or profound intellectual disability – subject to special education or rehabilitation and education classes in preschools, preschool sections operated in primary schools, as well as other forms of preschool education, as appropriate (based on appropriate certificate recommending special education needs provision or certificates recommending rehabilitation and education classes provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation) – who require special organisation of the learning process and work methods and children in special preschools and preschool sections in special primary schools organised within healthcare institutions – N _{37,i} ,
P₃₈ = 1.500	for pupils of halls of residence and dorms – N _{38,i} ,
P₃₉ = 0.500	additionally for pupils of halls of residence and dorms holding certificates recommending special education needs provision provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation – who require special organisation of the learning process and work methods – N _{39,i} ,
P₄₀ = 3.640	for pupils of halls of residence at art schools – N _{40,i} ,
P₄₁ = 6.300	for pupils staying at children’s guest houses – N _{41,i} ,
P₄₂ = 6.500	for pupils of special school centres for education and care, special care centres (based on certificates recommending special education needs provision provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation) and youth social therapy centres, who are accommodated in those centres based on certificates recommending special education needs provision provided for in Article 71b(3) of the Act referred to in § 1(1) of the Regulation (weight P₄₂ is mutually exclusive with weights P₃₈ i P₃₉) – who require special organisation of the learning process and work methods – N _{42,i} ,
P₄₃ = 10.000	for pupils of youth education centres who use accommodation in these centres (weight P₄₃ excludes weights P₃₈ and P₃₉) – who require special organisation of the learning process and work methods – N _{43,i} ,
P₄₄ = 1.500	for pupils of the youth social therapy centre, who are not accommodated in these centres (on the basis of certificate recommending special education needs provision referred to in Article 71b (3) of the Act mentioned in § 1(1) of the Regulation) – who require special organisation of the learning process and work methods – N _{44,i} ,

- P₄₅ = 9.500** for pupils of rehabilitation and educational centres and children with multiple disabilities and autism, including Asperger's syndrome, who are pupils of preschools, special preschool sections in primary schools, as well as other forms of preschool education (based on the certificates, respectively, recommending special education needs provision or recommending rehabilitation and education classes referred to in Article 71b (3) of the Act referred to in § 1(1) of the Regulation) – who require special organisation of the learning process and work methods – $N_{45,i}$,
- P₄₆ = 0.020** for persons using school youth shelters according to the actual number of places and the number of months of use – $N_{46,i}$,
- P₄₇ = 0.840** for children included in the early-assisted development in preschools, preschool sections in primary schools, other forms of preschool education, primary schools, school centres for education and care, special education centres, rehabilitation and education centres, psychological and pedagogical counselling centres (based on the opinion referred to in Article 71b (3) and (3a) of the Act referred to in § 1(1) of the Regulation) – $N_{47,i}$,
- P₄₈ = 0.001** for institutions carrying out extracurricular tasks according to the actual number of pupils in schools run or subsidized by i-th commune - $N_{48,i}$,
- P₄₉ = 0.034** for institutions carrying out extracurricular tasks, including those enabling the implementation of the obligation to study in extracurricular forms, according to the actual number of students in schools located in the i-th Country and operated or subsidised by local government units – $N_{49,i}$,
- P₅₀ = 0.0085** for institutions carrying out extracurricular tasks according to the actual number of students in schools located in the i-th Voivodeship and operated or subsidised by local government units – $N_{50,i}$,

6) **D_i** – correcting indicator for the i-th local government unit, calculated according to the formula:

$$D_i = W_r + (1 - W_r) \cdot W_{a,i}$$

where:

- W_r** - the average in the country expenditure indicator of tangible costs and the expenses for administrative and service staff salaries, uniformly amounting to 0.25 for all local government units,
- W_{a,i}** – wage rate structure of employment of teachers in schools and institutions for which the competent organ is the i-th local government unit, including the increased expenditures due to employment of teachers in rural areas or in cities up to 5000 residents, is calculated with the use of the following formula:

$$W_{a,i} = \frac{P_{ks} W_{s,i} + P_{kk} W_{k,i} + P_{km} W_{m,i} + P_{kd} W_{d,i}}{P_{ks} W_{s,k} + P_{kk} W_{k,k} + P_{km} W_{m,k} + P_{kd} W_{d,k}} \cdot (1 - R \cdot L_{w,i}),$$

L_i when

the total number of teachers' posts in the i-th local government unit is greater than zero, or

$W_{a,i} = 1$ when the total number of teachers' posts in the i-th local government unit equals zero, where:

- P_{ks} – the average salary of a trainee teacher,
- P_{kk} – the average salary of a contract teacher,
- P_{km} – the average salary of an appointed teacher,
- P_{kd} – the average salary of a chartered teacher, determined in accordance with Article 30(3) of the Act referred to in § 1(2)(5) of the Regulation,

- $W_{s,i}$ - indicator defining share of the trainee teachers' posts in the total number of teacher posts in the i-th local government unit,
- $W_{k,i}$ - indicator defining share of the contract teachers' posts in the total number of teacher posts in the ith local government unit,
- $W_{m,i}$ - indicator defining share of the appointed teachers' posts in the total number of teacher posts in the i-th local government unit,
- $W_{d,i}$ - indicator defining share of the chartered teachers' posts in the total number of teacher posts in the i-th local government unit,
- $W_{s,k}$ - indicator defining share of the trainee teachers' posts in the total number of teacher posts in the country,
- $W_{k,k}$ - indicator defining share of the contract teachers' posts in the total number of teacher posts in the country,
- $W_{m,k}$ - indicator defining share of the appointed teachers' posts in the total number of teacher posts in the country,
- $W_{d,k}$ - indicator defining share of the chartered teachers' posts in the total number of teacher posts in the country,
- R - weight due to the employment of teachers in schools or institutions located in rural areas or in cities up to 5000 residents, taking into account the increased expenses related to allowances payable referred to in Article 54 (3) (5) of the Act referred to in Article 1 (2) (5) of the Regulation – amounting to 0.12 uniformly for all local government units,
- $L_{w,i}$ - the total number of students of high schools, located in rural areas or in cities up to 5,000 residents in the i-th local government unit, established on the basis of the data from the School Education Information System for the base school year as of 30 September 2015 r. and 10 October 2015,
- L_i - the total number of students of high schools in the i-th local government unit, established on the basis of the data from the School Education Information System for the base school year as of 30 September 2015 r. and 10 October 2015.

3. The financial A standard of distribution of the educational section per pupil is determined by the following formula:

$$SO = \frac{A \cdot \text{---}}{Up}$$

The financial A standard represents the imputed unit amount per pupil, used for determining the amounts of SOA, SOB and SOC due to the local government unit of the educational SO part. The financial A standard is determined on the basis of the data from the base school year.

4. The SOA base amount of the educational part is determined for each local government unit operating or supporting schools according to the following formula:

$$SOA = \frac{\sum_{i=1}^N SOA_i}{N} \cdot [(A \cdot (U_{r,i} \cdot D_i))]$$

where $U_{r,i}$ is established in a way specified in Paragraph 2.

5. The amount supplementing SOB of the educational part is determined for each local government unit operating or supporting schools, according to the following formula:

$$SOB = \frac{\sum_{i=1}^N SOB_i}{N} \cdot [(A \cdot (U_{u,i} \cdot D_i))]$$

where $U_{u,i}$ is established in a way specified in Paragraph 2.

6. The SOC amount of the educational part for extracurricular tasks is determined for each local government unit according to the conversional number of U_z tasks, and in relation to the financial standard A of the distribution of the educational part per pupil, according to the following formula:

$$SOC = \frac{\sum_{i=1}^N SOC_i}{N} \cdot [(A \cdot (U_{z,i} \cdot D_i))]$$

where $U_{z,i}$ is established in a way specified in Paragraph 2.

7. The total amount of the educational part for local government units, net of reserves, as referred to in Article 28 (2) of the Act of 13 November 2003 on the income of local government units, is:

$$SO = \sum_{i=1}^N SO_i = \sum_{i=1}^N (SOA_i + SOB_i + SOC_i)$$

8. Amounts of the educational part of the general subsidy of local government unit soperating or supporting schools or institutions shall be rounded to the nearest zloty in such a way that the

numbers in decimal places amounting to less than 50 groszy are left out, and the numbers in decimal places amounting to 50 and more groszy are rounded to the nearest zloty.

9. When calculating the number of $N_{1,i}$ referred to in Paragraph 2 and converted by weight P_1 , the following shall also be taken into account:
 - 1) reduced by 33% number of primary schools pupils for children and youth located in cities of over 5000 residents that, as of 31 December 2013 r., had up to 5000 residents or were located in rural areas;
 - 2) reduced by 67% number of primary schools pupils for children and youth located in cities of over 5000 residents that, as of 31 December 2013 r. had over 5000 residents and as of 31 December 2012 r. had up to 5000 residents or were located in rural areas;
10. When calculating the number of $N_{2,i}$ referred to in Paragraph 2 and converted by weight P_2 , the following shall also be taken into account:
 - 1) reduced by 33% number of lower secondary schools pupils for children and youth located in cities of over 5000 residents that, as of 31 December 2013 r., had up to 5000 residents or were located in rural areas;
 - 2) reduced by 67% number of lower secondary schools pupils for children and youth located in cities of over 5000 residents that, as of 31 December 2013 r. had over 5000 residents and as of 31 December 2012 r. had up to 5000 residents or were located in rural areas;
11. The provisions of Paragraphs 9 and 10 shall not apply to local government units referred to in Article 2 (7) of the Act of 13 November 2003 r. on the income of local government units.
12. When calculating the number of $N_{1,i}$ referred to in Paragraph 2 and converted by weight P_1 and the number of $N_{2,i}$ converted by weight P_2 , the pupils fulfilling the schooling obligation or extra-school education under Article 16 (8) of the Act referred to in § 1(1) of the Regulation, shall not be taken into account.
13. The statistical number of students (U_r, i) specified in Paragraph 2, together with the complementary number of students (U_u, i), and set numbers of pupils or children and young people qualified or using in extracurricular activities (U_z, i), subject to review to the current state resulting from the School Education Information System data for the base school year as of 30 September 2015 and 10 October 2015, after adjusting for the amount of the educational part (SO_i). Children and youth with intellectual disabilities and multiple disabilities fulfilling compulsory schooling or extra-school education obligation – in a rehabilitation and education centre – are not included in the number of $N_{7,i}$ pupils calculated with the weight of P_7 .
14. The measures from the adjustments referred to in Paragraph 13 are charged to the provisions referred to in Article 28 (2) of the Act of 13 November 2003 on the income of local government units.

Footnotes:

¹⁾ The Minister of National Education manages the branch of government administration – educational and pedagogical matters on the basis of § 1(2) of the Ordinance of the Prime Minister of 17 November 2015 on the detailed scope of competence of the Minister of National Education (Journal of Laws, item 1903).

²⁾ This Regulation was preceded by Regulation of the Minister of National Education of 15 December 2014 r. on the Principles of Distribution of the Educational Part of the General Subvention for Local Government Units in 2015 (Journal of Laws, item 1977).

PROVISIONS FROM CODES

Act of 23 April 1964 Civil Code (Journal of Laws of 2016, item 380, as amended)

Article 23

The personal interests of a human being, in particular health, freedom, dignity, freedom of conscience, surname or pseudonym, image, secrecy of correspondence, inviolability of home, and scientific, artistic, inventor's and rationalizing achievements, shall be protected by civil law independent of protection envisaged in other provisions.

Act of 17 November 1964 r. Code of Civil Procedure (Journal of Laws of 2016, item 1822)

Article 256

The court may require translating the document in a foreign language by a sworn translator.

Article 265

§ 1 The court may summon an interpreter for the purpose of personal hearing of witness who does not have sufficient command of the Polish language.

Act of 6 June 1997 Criminal Code (Journal of Laws of 2016, item 1137).

Article 57

§ 1 In the event of the concurrence of several independent grounds for the extraordinary mitigation or enhancement of a penalty, the court may mitigate or enhance the penalty only once, considering jointly the concurrent grounds for mitigation or enhancement.

§ 2 In the event of the concurrence of the grounds for extraordinary mitigation and enhancement, the court may adopt an extraordinary mitigation or enhancement of the penalty.

Article 118

§ 1 Whoever, acting with an intent to destroy in full or in part, any ethnic, racial, political or religious group, or a group with a different perspective on life, commits homicide or causes a serious detriment to the health of a person belonging to such a group, shall be subject to the penalty of deprivation of liberty for a minimum term of 12 years, the penalty of deprivation of liberty for 25 years or the penalty of deprivation of liberty for life.

§ 2 Whoever, with the intent specified under § 1, creates, for persons belonging to such a group, living conditions threatening it with biological destruction, applies means aimed at preventing births

within this group, or forcibly removes children from persons belonging to such group, shall be subject to the penalty of deprivation of liberty for a minimum term of 5 years or the penalty of deprivation of liberty for 25 years.

Article 118a

§ 1 Any person who, by participating in a mass terrorist attack or only in one of recurring attacks directed against a certain group of people and carried out in order to implement or support implementing political agenda of a state or organisation:

- 1) commits homicide,
- 2) causes serious detriment to health of a human being,
- 3) creates living conditions under which biological existence of members of a certain group is endangered, especially by depriving them of access to food and medical care, and which are aimed at their extermination, shall be subject to the penalty of the deprivation of liberty for a minimum term of 12 years, the penalty of deprivation of liberty for 25 years or the penalty of deprivation of liberty for life.

§ 2 Any person who, by participating in a mass terrorist attack or only in one of recurring attacks directed against a certain group of people and carried out in order to implement or support implementing political agenda of a state or organisation:

- 1) enslaves a person or keeps such persons in this condition,
- 2) deprives a person of liberty for more than 7 days or deprives such person of liberty and subjects to tortures,
- 3) tortures a person or subjects him/her to brutal and inhumane treatment,
- 4) commits a rape or, by using violence, unlawful threat or deceit in other way violates person's sexual liberty,
- 5) by using violence or unlawful threat makes a women pregnant with an intention to alter the ethnic composition of a certain group of people or to commit some other serious violations of international law,
- 6) deprives a person of liberty and refuses to provide information regarding this person or his/her place of confinement or provides false information regarding this person's place of confinement in order to deprive such person of legal protection for a longer period of time, shall be subject to the penalty of the deprivation of liberty for a minimum term of 5 years or the penalty of deprivation of liberty for 25 years.

§ 3 Any person who, by participating in a mass terrorist attack or only in one of recurring attacks directed against a certain group of people and carried out in order to implement or support implementing political agenda of a state or organisation:

- 1) by violating the international law, forces other people to change their legal place of residence,
- 2) commits serious act of persecution of the members of a certain group for reasons considered inadmissible by the international law (i.e. especially reasons related to political views, race, nationality, ethnicity, denomination or lack of any religious beliefs, philosophy of life or gender), which result in deprivation of their fundamental rights, shall be subject to the penalty of the deprivation of liberty for a period of not less than 3 years.

Article 119

§ 1 Whoever uses violence or makes unlawful threat towards a group of persons or towards an individual, because of their national, ethnic, political or religious affiliation, or because of their lack of religious denomination, shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

Article 126a

Whoever publicly incites others to commit acts specified in Article 118, 118a, 119 (1) and in Articles 120-125, or publicly praises acts specified therein, shall be subject to the penalty of deprivation of liberty for a term between 3 months and 5 years.

Article 126b

§ 1 Whoever, by way of failing to comply with their obligation to exercise due control allows anyone under his/her authority or control to commit an act specified in Article 117 (3), Article 118, 118a, 119 (1) and Article 120-126a, shall be subject to penalty stipulated therein.

§ 2 If a perpetrator acts unintentionally, he/she shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

Article 194

Whoever restricts another person from exercising the rights vested in the latter, for the reason of this person affiliation to a certain faith or their religious indifference, shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

Article 195

§ 1 Whoever maliciously interferes with the public performance of a religious ceremony of a church or another religious association with regulated legal status, shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

§ 2 The same penalty shall be imposed on anyone who maliciously interferes with a funeral, mourning ceremonies or rites.

Article 196

Whoever offends the religious feelings of other persons by outraging in public an object of religious worship or a place dedicated to the public celebration of religious rites, shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

Article 256

§ 1 Whoever publicly promotes a fascist or other totalitarian system of state or incites hatred based on national, ethnic, race or religious differences or for reason of lack of any religious denomination, shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years. § 2 Whoever produces, records or imports, acquires, stores, owns, presents, transports or sends

hard copies, recordings or other carriers containing the above-mentioned content in order to disseminate it, shall be subject to the penalty specified in § 1.

§ 3 Whoever commits the prohibited act described in § 2 for artistic, educational, collection related or scientific purposes, shall not be held liable.

§ 4 Should a person be committed for a crime specified in § 2, a court shall adjudicate forfeiture of items referred to in § 2, even if such items do not belong to the perpetrator. **Article 257**

Whoever publicly insults a group within the population or a particular person because of his/her national, ethnic, race or religious affiliation or because of his/her lack of any religious denomination or for these reasons breaches the personal inviolability of another individual, shall be subject to the penalty of deprivation of liberty for up to 3 years.

Act of 6 June 1997 Code of Criminal Procedure (Journal of Laws of 2016, item 1749)

Article 72

§ 1 When the accused does not have a sufficient command of the Polish language, he shall have the right to be assisted by an interpreter free of charge.

§ 2 The interpreter shall be called in for the actions in which the accused referred to in § 1 participates. At the request of the accused or his lawyer, an interpreter should also be summoned in order for the accused to communicate with his lawyer in connection with an action in which the accused is entitled to participate.

§ 3 The order on the presentation, supplementation or alteration of charges, the indictment or a decision subject to review, or a decision concluding the proceedings shall be served on the accused referred to in § 1 with a translation; if the accused consents, the decision concluding the proceedings may only be announced to him, providing it is not subject to appeal.

Article 204

§ 1 An interpreter shall be summoned whenever it is necessary to examine:

1) a deaf or dumb person, with whom attempts at communication in writing have not sufficed, 2) a person without a command of Polish.

§ 2 An interpreter shall also be summoned whenever it is necessary to translate into the Polish language a document written in a foreign language, or to translate a Polish document into a foreign language or to acquaint the accused with the contents of the evidence examined.

§ 3. The provisions on court experts shall be applied to interpreters accordingly.

Act of 14 June 1960 Code of Administrative Procedure (Journal of Laws of 2016, item 23)

Article 69

§ 1 The transcript of testimony should be read and submitted for signing by the person offering testimony immediately after providing testimony.

§ 2 Transcripts of testimony which was offered in a foreign language must include the identity and address of the interpreter who rendered the translation; the interpreter must also sign the court transcript.

Act of 26 June 1974 Labour Code (Journal of Laws of 2016, item 1666)

Article 11³

Any discrimination, direct or indirect, in employment, particularly in respect of sex, age, disability, race, religion, nationality, political views, trade union membership, ethnic origin, religious convictions, sexual orientation or due to employment for a definite or an indefinite period, or on full-time or part-time basis, shall be inadmissible.

Chapter IIa – Equal Treatment in Employment

Article 18^{3a}

§ 1 Employees shall be treated equally as regards the establishment and termination of employment relationships, the conditions of employment, promotion and access to training in order to raise professional qualifications, particularly regardless of sex, age, disability, race, religion, nationality, political views, trade union membership, ethnic origin, religious convictions, sexual orientation or due to employment for a definite or an indefinite period or on full-time or part-time basis.

§ 2 Equal treatment in employment shall mean lack of any discrimination, direct or indirect, based on any of the reasons referred to in Paragraph 1.

§ 3. Direct discrimination exists when an employee, due to one or several reasons provided in Paragraph 1, has been or could be treated in any comparable conditions less favourably than other employees.

§ 4. Indirect discrimination exists when, due to a seemingly neutral regulation, applied criteria or commenced action there are disproportions or a particularly unfavourable situation concerning the establishment and termination of the employment relationship, terms and conditions of employment, promotion and access to training aimed at raising professional qualifications concerning all or a significant number of employees who belong to a group distinguished due to one or several of the reasons listed in Paragraph 1, unless the provision, criterion or practice is objectively justified by a legitimate objective to be achieved and the means of achieving that aim are appropriate and necessary.

§ 5. For the purposes of Paragraph 2, the following shall also be understood as manifestations of discrimination:

- 1) encouraging or commanding any other person to breach the principle of equal treatment in employment;
- 2) unwanted conduct with the purpose or effect of violating the dignity of an employee and of creating an intimidating, hostile, degrading, humiliating or offensive atmosphere (harassment).

§ 6. Sex discrimination shall also include any form of unwanted conduct of a sexual nature or any behaviour related to an employee's sex with the purpose or effect of violating the dignity of the

employee, in particular when creating an intimidating, hostile, degrading, humiliating or offensive atmosphere; this conduct may include physical, verbal or non-verbal elements (sexual harassment).

§ 7. The submission of an employee to harassment or sexual harassment, as well as the actions taken to oppose the harassment or sexual harassment, cannot inflict any negative consequences toward the employee.

Article 18^{3b}

§ 1 The infringement of the principle of equal treatment in employment, subject to Paragraphs 2–4, shall be construed as employer's differentiation of employees' situation based on one of the reasons as provided in Article 18^{3a}(1), resulting in, without limitation:

- 1) refusal to establish or continue an employment relationship;
- 2) disadvantageous fixing of remuneration for work or specification of other conditions of employment or being neglected in promotion or in the award of other work-related benefits; 3) being neglected in designation to participate in training to improve professional qualifications; – unless the employer proves that this was due to objective reasons.

§ 2 None of the following actions, proportionate to achieving the legitimate aim of diversifying the situation of an employee, shall be considered as breach of equal treatment in employment:

- 1) refusal to hire an employee due to one or several of the reasons defined in Article 18^{3a}(1), if justified due to the type of work and the conditions of performance thereof or the professional requirements to be satisfied by the employee;
- 2) serving a notice of termination of conditions of employment to an employee within the scope of working time, provided that it is justified by reasons independent of employees, without relying on any other reason(s) referred to in Article 18^{3a}(1);
- 3) application of means which differentiate the legal situation of an employee in respect of the protection of parenthood or disability;
- 4) applying the criterion of employment period in establishing the terms and conditions concerning employment and dismissal, remuneration and promotion, as well as access to training to improve professional qualifications, which justifies a different treatment of employees in respect of age.

§ 3. No actions shall be considered as breach of the principle of equal treatment in employment if taken for a fixed time and aimed at equalisation of opportunities of all or a substantial number of employees distinguished due to one or several reasons provided for in Article 18^{3a}(1), by decreasing, in favour of such employees, the actual inequalities to the extent defined in that provision.

§ 4. The principle of equal treatment is not violated where churches and other religious societies, as well as organisations whose ethics is based on religion, creed or world-view deter access to employment on the grounds of religion, creed or world-view, provided that the type or characteristics of the activity conducted by the churches and other religious societies, as well as organisations causes that the religion, creed or world-view are a real and decisive occupational requirement for the employee, proportional to reaching a lawful aim of the differentiation of the situation of such a person; it also concerns the requirement for the employed to act in good faith and

loyalty towards the ethics of the church, other religious society and organisation the ethics of which is based on religion, creed or world-view.

Article 18^{3c}

§ 1 Employees shall have the right to the same remuneration for the same work or for work of the same value.

§ 2 The remuneration referred to in Paragraph 1 shall include all components of remuneration, regardless of their name and character, as well as other work-related benefits granted to employees in cash or in other forms than cash.

§ 3. Work of the same value shall mean work whose performance requires from the employees comparable professional qualifications, confirmed by documents envisaged in separate provisions or by professional practice and experience, as well as comparable responsibility and effort.

Article 18^{3d}

A person in relation to whom the employer has infringed the principle of equal treatment in employment shall have the right to indemnity in an amount not lower than the minimum wage for work determined under separate provisions.

Article 18^{3e}

§ 1 Employee's exercise of the rights resulting from infringement of the principle of equal treatment in employment may not be the basis for adverse treatment of the employee, and may not cause any negative consequences to the worker, especially may not constitute the grounds for the employer's submitting of a notice of termination of the employment relationship or terminating such a relationship without notice.

§ 2 The provision of Paragraph 1 shall apply accordingly to an employee who has given any form of support to an employee who exercises the powers originating from the violation of the principle of equal treatment in employment.

REGULATIONS CONTAINED IN BILATERAL AGREEMENTS

AGREEMENTS CONCLUDED WITH THE REPUBLIC OF BELARUS

Treaty between the Republic of Poland and the Republic of Belarus on Good Neighbourliness and Friendly Cooperation

Signed in Warsaw on 23 June 1992
(Journal of Laws of 1993, No 118, item 527)

Article 13

The Contracting Parties undertake to respect international principles and standards concerning protection of rights of national minorities, in particular those contained in international pacts on human rights, the Final Act of the Conference on Security and Cooperation in Europe, the Document of the Copenhagen Meeting on the Human Dimension and the Charter of Paris for a New Europe.

Article 14

1. The Contracting Parties confirm that persons belonging to the Polish national minority in the Republic of Belarus and persons belonging to the Belarusian national minority in the Republic of Poland shall have the right, individually or together with other members of their group, to freely retain, develop and express their ethnic, cultural, linguistic and religious identity, without any discrimination and in conditions of full equality before the law.
2. The Contracting Parties confirm that belonging to a national minority is a matter of individual choice made by persons and may not involve any negative consequences.

Article 15

The Contracting Parties guarantee that the persons mentioned in Article 14 shall have, in particular, the right, individually or together with other members of their group:

- to use freely the native language in private and public life, to have access to information in this language, to disseminate and exchange such information and to use their names and surnames in the wording accepted in the native language;
- to establish and operate their own educational, cultural and other institutions, organisations and associations that would be eligible for voluntary financial assistance or other assistance, including assistance from public funds, in accordance with the national legislation, to have access to mass media and to participate in activities of international non-governmental organisations;
- to confess and practice their religion, including to acquire and use religious materials and to conduct educational activities in the field of religion in their native language;
- to establish and to maintain undisturbed contacts with each other on the territory of their country as well as trans-border contacts with citizens of other states sharing their ethnic or national origin, cultural heritage or religious beliefs;
- to make use of legal means provided for in the internal regulations of the State of residence, for the purpose of realising and protecting their rights.

Article 16

1. The Contracting Parties shall develop constructive cooperation in the scope of protection of rights of persons belonging to national minorities, treating them as the factor strengthening mutual understanding and good neighbourly relations between the Polish and the Belarusian nations.
2. The Contracting Parties, in realisation of regional development, shall take into consideration social and economic interests of the persons mentioned in Article 14 and their organisations and associations.
3. The Contracting Parties shall attempt to provide the persons mentioned in Article 14 with adequate opportunities of learning their native language or instruction in this language in educational

institutions and, where possible and necessary, using their native language in contacts with public authorities. In educational programmes, history and culture of national minorities shall be taken into account more extensively in the educational institutions frequented by above-mentioned persons.

4. The Contracting Parties shall respect the right of the persons mentioned in Article 14 to participate in public affairs, in particular in the field of protection and strengthening their identity, and, when needed, shall conduct consultations with organisations or associations of these persons.

Article 17

The Contracting Parties agree that the persons mentioned in Article 14 should observe the laws and regulations of the state of their residence.

Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on Cooperation in the fields of Culture, Science and Education

drawn up in Warsaw on 27 November 1995

(Journal of Laws of 1996, No 76, item 365)

Article 13

The Contracting Parties shall provide persons belonging to the Polish national minority in the Republic of Belarus and to the Belarusian national minority in the Republic of Poland with conditions conducive to retaining, developing and expressing their ethnic, cultural, linguistic and religious identity, without any discrimination and in conditions of full equality before the law. The Contracting Parties, within the framework of their internal legal regulations, shall comprehensively support activities of social, educational and cultural organisations of the above-mentioned persons and shall create the conditions allowing them to obtain financial assistance from the territory of the State of the other Contracting Party.

Article 14

Each Contracting Party, in accordance with its internal legal regulations, shall provide the persons referred to in Article 13 of this Agreement with conditions for instruction of the native language. For this purpose, each of the Contracting Parties shall:

- provide the interested persons, on a voluntary basis, with the access to instruction of the native language and instruction in the native language in preschools, primary schools and secondary schools, in educational systems of the Republic of Poland and the Republic of Belarus, and shall also undertake actions aiming at offering the opportunity of university education in the native language;
- favour teaching and improvement in the quality of teaching of language, history and culture of the other Contracting Party at all levels of education outside the state education system;
- provide relevant vocational training and skill improvement programmes for teachers from national minority schools;
- offer, following obtaining mutual consents, the opportunity of employment to the teachers delegated to schools by the other Contracting Party.

Article 29

The Contracting Parties shall support their cooperation in respect of radio stations, including:

- the exchange of information;
- the production of programmes targeted at national minorities as well as their broadcasting.

Cooperation AGREEMENT between the Minister of National Education and Sport of the Republic of Poland and the Ministry of Education of the Republic of Belarus

signed in Warsaw on 28 April 2005

Official Gazette [*Monitor Polski*] No 57, item 778)

Article 1

The Parties shall cooperate following the principles of mutuality and equality before the law, paying particular attention to the following issues:

- 1) exchange of information on education systems, their development plans and directions of reforms;
- 2) training of staff at all levels, faculties and fields being the subject of mutual interest;
- 3) developing direct contacts and supporting scientific cooperation between higher education institutions in all areas, in particular joint research in the field of history of the Polish-Belarusian relations and Polish and Belarusian language and literature;
- 4) developing direct contacts and cooperation between schools at all levels of education;
- 5) supporting organisation of joint scientific meetings, conferences, symposia and competitions and contests for youth;
- 6) developing and improving the quality of teaching of the Polish language in the Republic of Belarus and of the Belarusian language in the Republic of Poland at all levels of education;
- 7) ensuring conditions for the development of education of national minorities – Polish in the Republic of Belarus and Belarusian in the Republic of Poland.

Article 3

1. The Parties shall provide persons belonging to the Polish national minority in the Republic of Belarus and to the Belarusian national minority in the Republic of Poland with conditions for learning in the native language and learning of the native language, culture and traditions as well as the history and geography of the state to which the minority ethnically belongs.

2. The Parties shall pay particular attention to educating and raising the qualifications of teachers of Polish language and Belarusian language and to perfecting the command of a minority language by teachers of other subjects taught in this language.

3. The Parties shall support the creation of conditions for learning a minority language in higher education institutions.

4. To implement the provisions laid down in Paragraphs 1–3:

- 1) the work of the Joint Consultative Commission for Polish National Minority Education in the Republic of Belarus and the Belarusian National Minority in the Republic of Poland, consisting of 6 persons

from each Party, including 2 representatives of social organisations for national minorities of each Party, acting as observers, will be continued.

The meetings of the Joint Consultative Commission for Polish National Minority Education in the Republic of Belarus and the Belarusian National Minority in the Republic of Poland will be held as needed, but at least once a year, alternately in the Republic of Poland and in the Republic of Belarus.

The host Party shall bear the subsistence expenses of the members of the Joint Consultative Commission for

Polish National Minority Education in the Republic of Belarus and the Belarusian National Minority in the Republic of Poland, while the sending Party shall cover their travel expenses;

- 2) the Polish Party will accept, and the Belarusian Party will direct teachers of the Polish language and other subjects taught in Polish for courses increasing qualifications for a period of up to 20 days. the host Party shall bear the subsistence expenses of teachers, and the sending Party shall cover their travel expenses;
- 3) the Belarusian Party will accept, and the Polish Party will direct teachers of the Belarusian language and other subjects taught in Belarusian for courses increasing qualifications for a period of up to 20 days. the host Party shall bear the subsistence expenses of teachers, and the sending Party shall cover their travel expenses;
- 4) the Parties shall cooperate in organising in the Republic of Belarus courses increasing qualifications for teachers of the Polish language and other subjects taught in Polish in Belarus involving lecturers from Poland and in the Republic of Poland courses increasing qualifications for teachers of the Belarusian language and other subjects taught in Belarusian in Poland involving lecturers from Belarus.

The courses shall be organised in accordance with the needs and in agreement with the authorities of the local government units in the Republic of Poland and the government (Republican) authorities competent for education, management bodies and education departments of field executive and managing authorities in the Republic of Belarus;

- 5) the Parties shall cooperate in matters related to the employment of teachers from Poland in schools with a general education profile in the Republic of Belarus, where Polish language is taught and where Polish is the language of instruction, and in matters related to the employment of teachers from Belarus in public schools in the Republic of Poland, where Belarusian language is taught and where Belarusian is the language of instruction, in accordance with the needs and in agreement with the authorities of the local government units of the Republic of Poland and the government (Republican) authorities competent for education, management bodies and education departments of field executive and managing authorities in the Republic of Belarus;
- 6) The Belarusian Party shall inform the Polish Party, before 10 April each year, on the collective demand for teachers from Poland who will work at schools with a general education profile in the Republic of Belarus.

The Polish Party shall inform the Belarusian Party, before 10 April each year, on the collective demand for teachers from Belarus who will work at public schools in the Republic of Poland.

5. The authorities of local government units in the Republic of Poland as well as the management bodies and education departments of field executive and managing authorities in the Republic of Belarus shall provide the teachers invited under the Agreement, in accordance with internal regulations of each Party, with:

- 1) monthly remuneration and remuneration for the period of leave;
- 2) payable accommodation in a single room in a hotel/hall of residence; 3) completion of any necessary formalities related to the employment of a teacher.

6. The sending Party shall cover, once per year, the travel expenses related to the teacher's travel to the place of employment and back.

7. Each year, the Polish Party shall inform the Belarusian Party about posting Polish language teachers from Poland to work as part of language courses run by social organisations of the Polish national minority in the Republic of Belarus, as their emerge.

Article 4

1. The Parties shall accept the youth belonging to national minorities for higher studies, PhD studies and postgraduate studies:

- 1) Each year, the Polish Party shall accept up to 60 persons of Polish nationality from Belarus for higher studies, PhD studies and postgraduate studies in the Republic of Poland;
- 2) Each year, the Belarusian Party shall accept up to 40 persons of Belarusian nationality from Poland for higher studies, PhD studies and postgraduate studies in the Republic of Belarus;

2. Selection of candidates for higher studies, PhD studies and postgraduate studies in the other country shall be a competence of authorised committees of the accepting Party. In the process of such a selection, the committees shall consider recommendations of the social organisations of national minorities.

3. The accepting Party shall provide the persons referred to in Paragraph 1, in accordance with internal regulations, with:

- 1) education free of charge;
- 2) a possibility of payable accommodation in a student house; 3) payment of scholarship benefits.

Article 5

The Parties shall provide mutual assistance in the area of equipping schools and educational institutions with textbooks, methodological literature and teaching aids in order to meet the educational needs of the Polish national minority in the Republic of Belarus and the Belarusian national minority in the Republic of Poland.

AGREEMENT

**between the Government of the Republic of Poland and the Government of the Republic of
Belarus on the Protection of Graveyards and Memorial Sites Devoted to Victims of Wars and
Repression**, drawn up in Brest on 21 January 1995
(Journal of Laws of 1997, No 32, item 185)

The Government of the Republic of Poland and the Government of the Republic of Belarus, hereinafter referred to as Parties, acting in the interest of both Nations and their mutual understanding,

- wishing to commemorate, with due respect, the memorial sites and final resting places of soldiers and civilians who died, fell or were murdered as a result of struggle for independence, warfare or repression, which are located on the territories of Poland and Belarus,
- considering the provisions of Article 25 of the Treaty between the Republic of Poland and the Republic of Belarus on Good Neighbourliness and Friendly Cooperation of 23 June 1992,
- following the relevant provisions of the Geneva Conventions on the Protection of War Victims of 12 August 1949 and Additional Protocols thereto, have agreed as follows:

Article 1

Within the meaning of this agreement:

‘memorial sites and final resting places’ shall mean locations related to struggle for independence, warfare or repression, ‘arrangement of memorial sites and final resting places’ shall mean fixing of their boundary lines, raising of tombstones, commemorative monuments and structures, and displaying of commemorative plaques,

‘preservation of memorial sites and final resting places’ shall mean maintenance in due order of graves, tombstones, monuments, commemorative structures and commemorative plaques.

Article 2

1. This agreement shall govern the Parties’ cooperation in the resolution of matters related to the identification, registration, arrangement, maintenance and due preservation of memorial sites and final resting places – Polish ones in the Republic of Belarus and Belarusian ones in the Republic of Poland – of soldiers and civilians who died, fell or were murdered as a result of struggle for independence, warfare or repression. The provisions of this agreement shall apply to the matters related to the exhumation of remains of the dead and their reburial with due respect.

2. The Parties shall exchange any information they may have related to the location of memorial sites and final resting places, their number and size and personal data of the dead, fallen and murdered as well as any other information related to those persons, related to the implementation of this agreement. Each Party shall prepare and submit to the other Party lists of all memorial sites and final resting places.

3. If new memorial sites and final resting places are identified, the Party on whose territory they are located shall undertake immediate measures aimed at their protection. Such places, against the Parties’ mutual agreement, shall be included on the lists referred to in Paragraph 2 of this Article.

Article 3

1. Each Party, on the territory of its state, shall ensure the preservation of the memorial sites and final resting places of persons listed in Article 2(1) in accordance with the relevant provisions of the Geneva Conventions on the Protection on War Victims and Additional Protocols thereto.
2. Each Party shall immediately inform the other Party about any cases of desecration, damaging or destruction of memorial sites and final resting places and shall undertake immediate measures aimed at restoring due order in those places, punishing the perpetrators and preventing similar acts in the future.
3. The Parties shall endeavour to remove from the area surrounding the memorial sites and final resting places all objects that do not match the noble character of such places.
4. With the approval of the Parties, the manner of arrangement and preservation of memorial sites and final resting places may be additionally specified. Apart from the already existing ones, other forms of commemorating the dead, fallen and murdered may be applied.
5. When fulfilling their undertakings referred to in this Article, the Parties shall take account of national and religious traditions.

Article 9

1. The citizens of the state of one Party shall be ensured free access to the memorial sites and final resting places located on the state territory of the other Party.
2. Each Party shall facilitate the visiting of those places, especially on days of major holidays and anniversaries, by persons wishing to commemorate the dead, fallen and murdered.

AGREEMENTS ENTERED INTO WITH THE CZECH AND SLOVAK FEDERATION REPUBLIC (APPLYING TO RELATIONS WITH BOTH THE CZECH REPUBLIC AND THE SLOVAK REPUBLIC)

Convention between the Republic of Poland and the Czech and Slovak Federation Republic on Good Neighbourliness, Solidarity and Friendly Cooperation

entered into in Kraków on 6 October 1991
(Journal of Laws of 1992, No 59, item 296)

Article 8

1. The Contracting Parties confirm that persons belonging to the Czech and Slovak national minority in the Republic of Poland and persons belonging to the Polish national minority in the Czech and Slovak Federation Republic shall have the right, individually or jointly with other members of their group, to freely express, retain and develop their ethnic, cultural, linguistic and religious identity, and to develop their culture in all directions, without any attempts at assimilation against their will.

The Contracting Parties shall respect the rights and fulfil the obligations concerning national minorities in accordance with international standards, in particular the European standards.

2. The Contracting Parties declare that the persons referred to in Paragraph 1 of this Article shall have the right, individually or jointly with other members of their group:

- to use freely the native language in private and public life, and, in addition to the need to have command of the official language or languages of the given State, to use the native language in state offices in accordance with domestic legal regulations;

- to have access to information in their native language, and to disseminate and exchange such information;
 - to adequate possibilities of teaching their native language and learning in their native language;
 - to establish and maintain their own economic, educational, cultural and religious institutions, organisations and associations.
3. Belonging to a national minority is a matter of individual choice of each citizen. This choice may not entail any negative consequences.
4. Belonging to a national minority does not release the citizen from the obligation to act with loyalty towards its State, to observe its legal regulations and to exercise their rights in accordance with domestic legal regulations.

AGREEMENTS ENTERED INTO WITH THE SLOVAK REPUBLIC

AGREEMENT between the Government of the Republic of Poland and the Government of the Slovak Republic on Cooperation in the fields of Culture, Education and Science

drawn up in Bratislava on 23 March 2000

(Official Gazette [*Monitor Polski*] of 2002, No 6, item 123)

Article 21

The Contracting Parties shall comprehensively support members of the Polish minority in Slovakia and the Slovak minority in Poland in their activities aimed at cultivating their language, traditions and national culture.

The Contracting Parties shall provide the members of the Polish minority in Slovakia and the Slovak minority in Poland with adequate possibilities of learning their native language and receiving education in their native language. For this purpose, each of the Contracting Parties shall:

- a) ensure the possibility of teaching in the minority language and learning that language – Polish language in Slovakia and Slovak language in Poland – in state-owned schools, as well as employing teachers from the country of the other Contracting Party according to current needs,
- b) provide substantive and methodological support while modernising, improving and extending the scope of Polish language curricula in Slovakia and Slovak language curricula in Poland, as native languages,
- c) support authors' cooperation while devising textbooks, didactic materials and aids used to teach a minority language, literature, culture, history and geography to national minorities: the Polish minority in Slovakia and the Slovak minority in Poland.

The Contracting Parties shall support publications in the language of the Polish minority in Slovakia and the Slovak minority in Poland as well as the cooperation between Polish and Slovak associations and institutions publishing in the languages of these minorities.

Each of the Contracting Parties shall accept persons belonging to the minority originating from the country of the other Contracting Party for university studies (full or partial) as well as PhD studies every year.

AGREEMENT between the Government of the Republic of Poland and the Government of the Czech Republic on Cooperation in the fields of Culture, Education and Science

entered into in Prague on 30 September 2003

(Journal of Laws of 2004, No 244, item 2449)

Article 11

The Contracting Parties shall provide members of the Polish national minority in the Czech Republic and members of the Czech national minority in the Republic of Poland with conditions conducive to sustaining, developing and expressing their national, religious, cultural and linguistic identity within the framework of their internal legal regulations in force on the territory of the State of the given Contracting Party.

PROGRAMME OF COOPERATION

between the Minister of National Education of the Republic of Poland and the Ministry of Education, Youth and Physical Education of the Czech Republic in the field of Education,

entered into in Warsaw on 20 September 2012

(Journal of Laws of 2012, item 1250)

Article 4

1. The Parties shall, in accordance with internal legal regulations, ensure the possibility for members of the Polish national minority in the Czech Republic and the Czech national minority in the Republic of Poland to learn their native language and to receive education in their native language in preschools and schools.

2. For this purpose, the Contracting Parties shall, in line with internal regulations and within their budgetary capacities, support the operation of preschools, primary schools, lower secondary schools and upper secondary schools teaching the native language and in the native language for the Polish national minority communities in the Czech Republic and the Czech national minority communities in the Republic of Poland.

Article 8

1. The Parties shall inform each other on seminars, conferences and other initiatives related to education of national minorities and multicultural pedagogy and organised on the territories of the State Parties.

2. The Parties shall inform each other on activities related to cross-border cooperation.

3. The Parties shall support the cooperation between the Pedagogical Centre and the Centre for the Development of Polish Education Abroad (ORPEG) in Warsaw in the field of pedagogical personnel training in pedagogical personnel training institutions, in particular in border areas.

Treaty between the Republic of Poland and the Republic of Lithuania on Friendly Relations and Neighbourly Cooperation

Drawn up in Vilnius on 26 April 1994
(Journal of Laws of 1995, No 15, item 71)

Article 13

1. The Contracting Parties undertake to respect international principles and standards concerning protection of rights of national minorities, in particular those set out in the Universal Declaration of Human Rights, international pacts concerning human rights, relevant documents of the Conference on Security and Cooperation in Europe and in the European Convention on Human Rights and Fundamental Freedoms, together with supplementary protocols accepted by both parties.
2. Persons belonging to the Polish minority in the Republic of Lithuania, i.e. persons with the Lithuanian citizenship, being of Polish origin or declaring Polish nationality, culture or tradition and considering the Polish language their native language, as well as persons belonging to the Lithuanian minority in the Republic of Poland, i.e. persons with the Polish citizenship, being of Lithuanian origin or declaring Lithuanian nationality, culture or tradition and considering the Lithuanian language their native language, shall have the right, individually or jointly with other members of their group, to freely express, retain and develop their national, cultural, linguistic and religious identity, without any discrimination and in conditions of full equality before the law.
3. The Parties confirm that belonging to a national minority is a matter of individual choice made by a person and may not entail any negative consequences. Nobody may be forced to prove their nationality or to renounce it.

Article 14

The Contracting Parties declare that the persons referred to in Article 13(2) shall have, in particular, the right:

- to freely use language of their national minority in private and public life,
- to have access to information in this language, to disseminate and exchange such information and to hold their own mass media,
- to learn the native language of their national minority and to receive education in this language,
- to establish and maintain, in accordance with the national law, the minority's own institutions, organisations and associations, in particular of cultural, religious and educational nature, including schools of all levels, which would be eligible for voluntary financial and other assistance, both domestic and foreign, and assistance from public funds, and to participate in activities of international non-governmental organisations,

- to follow and practice their religion, including acquiring, holding and using religious materials, and to conduct educational activity in the field of religion in the minority language,
- to establish and to maintain undisturbed relations within the minority inside the State, as well as cross-border contacts with citizens of other states who share their national origin,
- to use their first and last names according to the spelling rules of their respective minority language; detailed regulations concerning spelling of names and surnames shall be defined in a separate agreement,
- to participate in public life directly or through their freely elected representatives at the levels of central and local authorities, and to be admitted to public service on equal footing with other citizens.

Article 15

The Contracting Parties shall protect, on their territories, the national, cultural, linguistic and religious identity of the persons referred to in Article 13(2) and shall create the conditions for its development.

In particular, the Parties shall:

- take into consideration allowing the use of languages of national minorities in contacts with their offices, especially in those administrative and territorial units in which the national minority constitutes a large proportion of population,
- ensure national minorities access to the public media,
- ensure the adequate possibilities of teaching the national minority's native language and receiving education in this language in preschools, primary schools and secondary schools,
- take necessary actions to protect the identity of the national minority, following due consultations, including contacts with the organisations or associations of groups referred to in Article 13(2),
- take into account the history and culture of the groups referred to in Article 13(2) in connection with teaching history and culture in educational institutions,
- refrain from any actions that might lead to assimilation of members of the national minority against their will, and, in accordance with international standards, shall refrain from actions that would lead to changes in national composition in the areas inhabited by national minorities.

Article 16

1. None of the provisions included in Article 14 may be interpreted as conferring the right to conduct any activity or to perform any acts incompatible with the Charter of the United Nations, provisions of the international law, in particular with the principle of respect for territorial integrity of the state and the documents of the Conference on Security and Cooperation in Europe.

2. Each member of the Polish national minority in the Republic of Lithuania and the Lithuanian national minority in the Republic of Poland should be loyal towards their state of residence as all other citizens and obey the duties resulting from the legal regulations of this state.

Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on Cooperation in the fields of Culture, Science and Education

drawn up in Vilnius on 7 December 1998

(Official Gazette [*Monitor Polski*] of 2002, No 31, item 491)

Article 9

The Contracting Parties shall provide persons belonging to the Polish national minority in the Republic of Lithuania and persons belonging to Lithuanian national minority in the Republic of Poland with conditions conducive to retaining, developing and expressing their national, religious and linguistic identity.

For this purpose, each Contracting Party shall, on its own territory, support the operation of educational and cultural institutions and social organisations of national minorities, and shall facilitate preserving their cultural links with their compatriots on the state territory of the other Party.

The Contracting Parties shall, each on its own territory, provide the above-mentioned persons with access to public mass media, and, on a voluntary basis, access to education in the native language of the national minority at the preschool level and in primary and secondary education.

The Contracting Parties shall ensure training and supplementary training for teachers at minority schools, employment opportunities in national minority schools for teachers posted by the other Party, the possibility of disseminating knowledge of the native language, history, geography and culture of the national minority and improvement of the quality of teaching these subjects. The Contracting Parties shall cooperate in respect of preparing school curricula and textbooks to teach Polish language and literature, history and geography of Poland for primary and secondary schools in Lithuania with Polish language of as the teaching language, as well as school curricula and textbooks for the Lithuanian language and literature, history and geography of Lithuania for primary and secondary schools in Poland with Lithuanian language as the teaching language.

AGREEMENTS ENTERED INTO WITH THE FEDERAL REPUBLIC OF GERMANY

Treaty between the Republic of Poland and the Federal Republic of Germany on Good Neighbourliness and Friendly Cooperation, signed in Bonn on 17 June 1991

(Journal of Laws of 1992, No 14, item 56)

Article 20

1. Members of the German minority in the Republic of Poland, i.e. persons holding Polish citizenship and being of German origin or declaring German language, culture or tradition, as well as persons belonging to the Polish minority in the Federal Republic of Germany, i.e. persons holding German citizenship and being of Polish origin or declaring Polish language, culture or tradition, shall have the right, individually or together with other members of their group, to freely express, retain and develop their ethnic, cultural, linguistic and religious identity, without any attempts to assimilate them

against their will. They shall have the right to exercise, fully and effectively, human rights and fundamental freedoms without any discrimination and in full equality before the law.

2. The Contracting Parties shall exercise the rights and obligations in accordance with the international standards concerning minorities, in particular in accordance with the United Nations Universal Declaration of Human Rights of 10 December 1948, the European Convention on Human Rights and Fundamental Freedoms of 4 November 1950, the Convention on Elimination of All Forms of Racial Discrimination of 7 March 1966, the International Covenant on Civil and Political Rights of 16 December 1966, the Final Act of the Conference on Security and Cooperation in Europe of 1 August 1975, the Document of the Copenhagen Meeting on the Human Dimension to the Conference on Security and Cooperation in Europe of 29 June 1990, as well as the Charter of Paris for a New Europe of 21 November 1990.

3. The Contracting Parties guarantee that the persons referred to in Paragraph 1 shall have, in particular, the right, individually or together with other members of their group:

- to use freely the native language in private and public life, to have access to information in this language, to disseminate and exchange such information,
- to establish and operate their own educational, cultural and religious institutions, organisations and associations that would be eligible for voluntary financial aid or other aid, including public aid, in accordance with the national law, and that would have equal access to mass media in their region,
- to follow and practice their religion, including to acquire, possess and use religious materials and to organise religious education in their native language,
- to establish and maintain undisturbed relations within the minority in the country, as well as in cross-border contacts with citizens of other states sharing their ethnic or national origin, cultural heritage or religious beliefs,
- to use their names and surnames in the wording of their native language,
- to establish and operate organisations or associations in their country, and to participate in activities of international non-governmental organisations,
- to make use, on equal footing with other citizens, of effective legal means to exercise their rights, in accordance with national law.

4. The Contracting Parties confirm that belonging to the groups referred to in Paragraph 1 is a matter of individual choice and cannot result in any negative consequences.

Article 21

1. On their territories, the Contracting Parties shall protect ethnic, cultural, linguistic and religious identity of the groups referred to in Article 20(1) and create conditions to strengthen this identity. The Parties understand that constructive cooperation in this field is particularly important. Such cooperation should strengthen peaceful coexistence and good neighbourliness of the Polish and German nations and foster their understanding and reconciliation.

2. The Contracting Parties shall, in particular:

- within the framework of applicable Acts, enable and facilitate undertaking actions aimed at supporting members of the groups referred to in Article 20(1) or their organisations,

- despite the necessity of learning the official language of the relevant State, aim to ensure, in accordance with national legislation, that members of the groups referred to in Article 20(1) have adequate opportunities to learn their native language or learn in their native language in public educational institutions and also, where needed and necessary, of using the native language in contacts with public authorities,
- take into account history and culture of the groups referred to in Article 20(1) in teaching history and culture in educational institutions,
- respect the right of members of the groups referred to in Article 20(1) to effectively participate in public affairs, including participation in matters related to protection of national minorities and supporting their identity,
- undertake necessary actions to that effect, after due consultations and in accordance with the decision-making procedure in the given State, including contacts with organisations or associations of the groups referred to in Article 20(1).

2. The Contracting Parties shall apply the provisions of Article 3 to matters specified in this Article and in Articles 20 and 22.

Article 22

1. No obligation under Article 20 and 21 may be interpreted as involving the right to engage in any activity or to undertake any actions incompatible with Charter of the United Nations, other obligations resulting from international law, or incompatible with the provisions of the Final Act of the Conference on Security and Cooperation in Europe, including the principle of territorial integrity of states.

2. Each member of the groups referred to in Article 20(1) in the Republic of Poland or in the Federal Republic of Germany shall, in accordance with the above-mentioned provisions, be loyal towards the relevant State like any other citizen and fulfil the obligations resulting from the legislation of that State.

Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Cooperation in the field of Culture

drawn up in Bonn on 14 July 1997
(Journal of Laws of 1999 No 39, item 379)

Article 4

1. The Contracting Parties shall endeavour to provide all interested persons with wide access to the culture, language, literature and history of the other country. For this purpose, they shall support state and non-state initiatives and institutions.

The Contracting Parties shall make every effort to enable, expand and facilitate projects aimed at supporting, in their respective countries, instruction and propagation of the language of the other country in universities, schools and other educational institutions as well as part of extracurricular forms of language instruction.

The Contracting Parties shall encourage the creation of bilingual schools and classes, especially in border regions.

The Contracting Parties shall endeavour to expand the opportunities for taking up studies of Polish and German philology at universities in both countries.

2. The Contracting Parties shall enable and facilitate in their own country appropriate supporting projects of the other Party, in particular the following:

- a) posting teachers, language teachers and counsellors–consultants,
- b) participation of teachers and students in training courses and additional training courses organised by the other Party, as well as exchange of experiences related to modern methods and techniques of foreign language teaching,
- c) circulation of textbooks and teaching materials and resources and cooperation in the preparation of textbooks,
- d) use of opportunities provided by the radio and television for learning and promotion of the language of the other Contracting Party.

Article 5

Within the framework of their cooperation, the Contracting Parties shall endeavour to present history, geography and culture of the other country in their textbooks in such a way so as to favour better mutual understanding and familiarity; they shall encourage to take account of the recommendations of the Independent Polish and German Commission for School Textbooks.

Article 6

The Contracting Parties shall support cooperation, in all forms and at all levels, in the field of science, schooling and education, in particular, in the domain of higher education and scientific organisations, general education schools and vocational schools, adult extracurricular education and upskilling organisations and establishments, school system administration and vocational training and other educational and scientific institutions.

The Parties shall encourage institutions operating in those fields in their respective countries to:

- 1) develop cooperation in every field of shared interest;
- 2) establish partnership relations between higher education establishments and other scientific and educational institutions in both countries;
- 3) carry out joint educational and research projects;
- 4) carry out mutual exchange of teams and individuals to share information and experiences and participate in scientific conferences and symposia;
- 5) exchange scientists, post-graduate students, higher education administrators, teachers, instructors, students and pupils as part of scientific, training, study and information postings;
- 6) exchange scientific, pedagogical and didactic literature, teaching materials, information materials and didactic and scientific films as well as organise appropriate specialist exhibitions.

Article 12

The Contracting Parties shall support direct contacts between social groups and associations, such as: trade unions, cultural associations, creative unions, churches, religious associations and non-governmental foundations and organisations, and shall encourage implementation of projects that contribute to the objectives of this Agreement.

Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Graves of Victims of Wars and Totalitarian Violence

Signed in Warsaw on 8 December 2003

(Official Gazette [Monitor Polski] of 2005, No 55, item 749)

Article 1

This agreement shall govern all matters related to the identification, documentation, registration, arrangement, maintenance and due preservation and protection of final resting places of victims of wars and totalitarian violence – Polish on the territory of the Federal Republic of Germany and German on the territory of the Republic of Poland – as well as all matters related to the exhumation of the remains and their inhumation with due respect.

Article 3

1. The Contracting Parties agree that the graves of victims of wars and totalitarian violence shall be under legal protection of the state on whose territory they are located.
2. Memorials of victims of wars and totalitarian violence, which are not located in war cemeteries as defined by this Agreement, shall be under legal protection of the state on whose territory they are located.

Article 4

1. The Contracting Parties shall guarantee the protection of existing and discovered graves of victims of wars and totalitarian violence, free access to them and the right to undisturbed repose of those fallen and deceased as a result of wars and totalitarian violence. The Contracting Parties shall make every effort to prevent buildings or facilities incompatible with the solemnity of these war cemeteries from being constructed in their vicinity.
2. The Contracting Parties shall be entitled to renovate, clean and preserve at their own expense war graves and cemeteries of victims of wars and totalitarian violence referred to in Article 2 of this Agreement which are located on the territory of the state of the other Contracting Party.
3. The Government of the Federal Republic of Germany shall guarantee to support, renovate and preserve at its own expense the Polish war graves and cemeteries defined in Article 2 of this Agreement on the territory of the Federal Republic of Germany.
4. The Government of the Republic of Poland shall guarantee to support, renovate and preserve at its own expense the German graves and war cemeteries of the fallen and deceased in the 1914–1918 period located on the territory of the Republic of Poland, according to the regulations on war graves and cemeteries on the territory of the Republic of Poland.

Article 5

The Contracting Parties shall support the creation of documentary and information centres or organisation of meetings near war cemeteries as an element of the education for mutual understanding and reconciliation.

Article 7

1. The Contracting Parties shall allow one another to merge the graves of victims of wars and totalitarian violence whose transfer is deemed necessary without incurring costs on this account and following the submission of plans for approval to the other party.

2. The transfer of the remains of German victims of wars and totalitarian violence shall be performed by working groups designated by the German Party. The transfer of the remains of Polish victims of wars and totalitarian violence shall be performed by working groups designated by the Polish Party.

3. Following the completion of work related to the transfer of remains, a report shall be drawn up in which the former and the new location of the grave, personal details of the exhumed person, the identification inscription and other items present are entered to make it possible to identify the remains. The report shall also constitute the basis for transferring the items found next to the remains.

4. In the cases where former war cemeteries ceased to exist due to infrastructural changes and transferring remains is not possible, the Contracting Party on whose territory the cemeteries are located shall allow the other Contracting Party at its request and its own expense to erect worthy memorial sites that are appropriate to local conditions. If it entails rendering land available or receiving the permission of local authorities, the Contracting Parties shall support each other in submitting appropriate applications and the implementation of this commemorative event.

5. If provisional storage of the remains of victims of wars and totalitarian violence proves necessary to enable the final burial at a war cemetery, the Contracting Party shall undertake, on the territory of the state on which they are discovered, efforts to temporarily bury the remains and mark the graves, taking into account the applicable regulations of the given state.

AGREEMENTS ENTERED INTO WITH THE RUSSIAN FEDERATION

Treaty between the Republic of Poland and the Russian Federation on Friendly and Neighbourly

Cooperation entered into in Moscow on 22 May 1992

(Journal of Laws of 1993, No 61, item 291)

Article 16

1. The Contracting Parties undertake to follow the internationally accepted standards guaranteeing respecting human rights and the rights of national minorities, in particular right contained in the Universal Declaration of Human Rights, International Covenants on Human Rights, the documents of the Conference on Security and Co-operation in Europe, in particular related to the human dimension.

2. The Parties consider religious freedom as one of the fundamental human rights and shall follow its principle by guaranteeing, in accordance with applicable legislation, the citizens of the Republic of Poland of Russian origin and the citizens of the Russian Federation of Polish origin, regardless of their nationality and religious affiliation, the right of free access to sites and places of religious worship and the right to religious education and upbringing.

3. The Parties shall assist the citizens of the Republic of Poland of Russian origin and the citizens of the Russian Federation of Polish origin in preserving and propagating their ethnic identity, own culture and teaching the native language at the preschool and school level.

Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on Co-operation in the fields of Culture, Science and Education

drawn up in Warsaw on 25 August 1993
(Journal of Laws of 1994, No 36, item 133).

Article 13

The Parties shall support actions aimed at retaining and developing the ethnic, cultural, linguistic and religious identity of Poles resident in Russia and representatives of nations and ethnic groups of the Russian Federation resident in Poland.

For this purpose, the Parties shall support maintaining cultural links between minorities and their ethnic motherland, preserving tradition, enabling free contact, including travel to their ethnic motherland. The Parties shall provide comprehensive support for activities of social and cultural organisations of national minorities, and, within the framework of domestic legislation, shall enable them to receive financial assistance from their ethnic motherland.

AGREEMENT

on Co-operation between the Minister of National Education of the Republic of Poland and the Ministry of Education and Science of the Russian Federation in the field of Education signed in

Moscow on 28 October 2005
(Official Gazette [*Monitor Polski*] of 2006, No 10, item 132)

Article 1

The Parties shall co-operate in the following fields:

- exchange of information on education systems, plans for their development and reform directions,
- education and raising qualifications of teaching staff in specialities of mutual interest,
- developing, supporting and enhancing teaching of the Polish language and literature in the Russian Federation and the Russian language and Russian literature in the Republic of Poland at all levels of education,
- supporting cooperation between higher education institutions of the State Parties in the field of science, and in particular in the mutual research on the history of Polish-Russian relations,

- organising joint scientific events, conferences, symposiums as well as contests and competitions for pupils and students,
- development of direct contacts and cooperation between all kinds of educational institutions of the State Parties.

Article 4

The Parties shall encourage development and improvement of teaching of the Polish language and Polish literature in educational institutions of the Russian Federation and the Russian language and Russian literature in educational institutions of the Republic of Poland.

For this reason, the Parties shall organise each year:

- 1) courses for teachers to increase their qualifications; Poland shall organise courses for teachers of the Polish language from the Russian Federation, whereas Russia shall organise courses for teachers of the Russian language from the Republic of Poland,
- 2) summer language courses – in the Polish language in the Republic of Poland and in the Russian language in the Russian Federation – for students and PhD students.

Each year, the Parties shall agree on the periods of stay, the conditions for accepting candidates and their number under this Article.

AGREEMENT between the Government of the Republic of Poland and the Government of the Russian Federation on the Protection of Graves and Memorial Sites of Victims of Wars and Repression

drawn up in Kraków on 22 February 1994
(Journal of Laws No 112, item 543)

The Government of the Republic of Poland and the Government of the Russian Federation, hereinafter the Parties, considering the provisions of Article 17 of the Treaty between the Republic of Poland and the Russian Federation on Friendly and Neighbourly Cooperation of 22 May 1992 as well as the declaration signed therewith by the Presidents of the Republic of Poland and of the Russian Federation, have agreed as follows:

Article 1

1. This Agreement shall govern the Parties' cooperation in the resolution of any matters related to the identification, registration, arrangement, maintenance and due preservation of memorial sites and final resting places – Polish ones in the Russian Federation and Russian ones in the Republic of Poland – of soldiers and civilians fallen, murdered or tortured to death as a result of struggle for independence, warfare or repression, hereinafter referred to as 'memorial sites and final resting places'. The provisions of this agreement shall apply to the matters related to the exhumation of remains of the dead and their reburial with due respect.

2. In their cooperation, referred to in Paragraph 1 of this Article, the Parties shall follow the provisions of this Agreement and well as the goals and principles of the Geneva Conventions on the Protection of War Victims of 12 August 1949 and Additional Protocols thereto, as well as state, national and religious customs and traditions of the nations of Poland and Russia.

3. The provisions of this Agreement shall apply to the graves of soldiers and civilians which go beyond the provisions of section 1 of this Article which are nevertheless located within the final resting places referred to in section 1.

Article 2

1. The Parties shall exchange any information they have which relate to the location of memorial sites and final resting places, their number and size and personal data of the fallen, murdered and tortured to death.

2. On the basis of the information referred to in section 1 of this Article, each Party shall prepare a list of all memorial sites and final resting places.

3. Each Party shall include on the list and provide protection of all the identified memorial sites and final resting places, notifying the other Party accordingly.

4. Arrangement of memorial sites and final resting places shall mean fixing of their limits, raising of tombstones, commemorative signs, monuments or other commemorative structures.

In particular cases, with the approval of the Parties, the manner of arrangement and preservation of memorial sites and final resting places may be additionally specified. Apart from the existing ones, new monuments may be raised and other forms of commemorating the fallen, murdered and tortured to death may be introduced, if they are historically justified.

Article 10

1. Each Party shall, in accordance with the legislation of its State, ensure on the territory of its state free access for citizens of both States to their respective memorial sites and final resting places.

2. The Parties, as required, shall facilitate and favour the establishment and maintenance of museums and meeting places in the neighbourhood of the memorial sites and final resting places, with a view of acquainting the interested persons, mainly youth, with the past, and undertaking measures aimed at the reconciliation of the nations.

JOINT DECLARATION OF THE MINISTERS OF FOREIGN AFFAIRS OF THE REPUBLIC OF POLAND AND THE RUSSIAN FEDERATION

In connection with the Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on Graves and Memorial Sites of Victims of Wars and Repression, signed in Kraków on 22 February 1994, and in their endeavours to build the Polish and Russian relations on the new quality basis, as well as to overcome the negative legacy of the past, conscious of the enormity of suffering caused by the Stalin regime as well as remembering the irreparable losses sustained by the nations of Poland and Russia, the Ministers of Foreign Affairs of the Republic of Poland and the Russian Federation wish to express their conviction that the memorial sites and final resting places of victims of warfare and repression, Polish citizens on the territory of the Russian Federation and Russian citizens on the territory of the Republic of Poland, should enjoy special care and protection. Guided by good will and humanitarian values, Russia intends to start in May 1994 in Katyn and Mednoye the exhumation of the remains of victims of the totalitarian regime, including Polish Army officers, and participate in their burial with due respect. Russia declares that it is ready to cover the costs connected

with the above and provide assistance in the arrangement of graveyards–monuments in Katyn and Mednoye. Russia intends also to provide further assistance in the arrangement of other graveyards at the places of martyrdom of the Polish citizens on the territory of the Russian Federation.

Poland declares that it is ready to strictly cooperate with Russia in order to ensure that the final resting places of soldiers located on the territory of Poland and not covered by this Agreement are treated with due care. Decisions involving change of status of such final resting places shall be taken after prior notification of the Russian consular offices in Poland.

Both Parties shall develop cooperation in order to preserve on their territories the memorial sites connected with the history of Poland and Russia.

AGREEMENTS ENTERED INTO WITH THE REPUBLIC OF UKRAINE

Treaty between the Republic of Poland and Ukraine on Good Neighbourliness, Friendly Relations and Cooperation

drawn up in Warsaw on 18 May 1992
(Journal of Laws of 1993, No 125, item 573)

Article 11

1. The Contracting Parties, in accordance with the generally effective international standards on the protection of national minorities, recognise the right of members of the Polish national minority in Ukraine and members of the Ukrainian national minority in the Republic of Poland, individually or together with other members of their group, to retain, express and develop their ethnic, cultural, linguistic and religious identity, without any discrimination and in conditions of full equality before the law. The Parties shall undertake necessary actions in order to exercise this right, in particular the right to:

- teach and learn the native language and in the native language, to use the native language freely, to have access to information in this language, to disseminate and exchange information in this language;
- establish and maintain own educational, cultural and religious institutions and associations;
- follow and practice religion;
- use names and surnames in the wording accepted in the native language;
- establish and maintain undisturbed relations within the State, as well as cross-border contacts between members of minorities and their compatriots in the motherland.

2. The Contracting Parties confirm that belonging to a national minority is a matter of individual choice made by a person and may not involve any negative consequences. Each Party, on its own territory, shall protect the national identity of the minority of the other Party against any actions threatening such identity, and shall create the conditions for strengthening the said national identity.

3. Each person belonging to the Polish national minority in Ukraine and to the Ukrainian national minority in the Republic of Poland should be loyal with respect to the state of residence, similarly like all other citizens, bearing in mind the obligations resulting from the internal legal regulations effective in this State.

**Agreement between the Government of the Republic of Poland and the Government of
Ukraine on Cooperation in the fields of Culture, Science and Education**

drawn up in Kiev on 20 May 1997

(Journal of Laws of 2000, No 3, item 29)

Article 12

The Contracting Parties shall provide persons belonging to the Ukrainian national minority resident in the Republic of Poland and persons belonging to the Polish national minority resident in Ukraine with the conditions that favour retaining, developing and expressing their national, religious, cultural and linguistic identity, without any discrimination and in conditions of full equality before the law.

The Contracting Parties, on their territories, shall comprehensively support activities of national and cultural organisations of the persons mentioned above and shall create the conditions allowing them to obtain financial assistance from their ethnic motherland; and shall favour preserving cultural links with their compatriots resident on the territory of the other Party.

Article 13

Each Contracting Party, on its territory, shall provide the persons referred to in Article 12 of this Agreement with conditions for teaching of the native language and in the native language, including on the history and culture of their ethnic motherland.

For this purpose, each of the Contracting Parties:

- shall provide these persons with access to teaching of their native language and in their native language in preschools, elementary schools and secondary schools, within the framework of educational systems of Poland and Ukraine, and shall make it possible to improve the quality of teaching of these subjects;
- shall provide relevant vocational training and skill improvement programs for teachers from the educational institutions teaching the national minority's native language or in the national minority's native language;
- shall offer the opportunity of employment to the teachers posted to schools on the basis of the Memorandum of Understanding accepted by the Contracting Parties.

Article 23

The Contracting Parties shall support television and radio cooperation under the Memorandums of Understanding between competent institutions of both countries, as well as the exchange of materials and information, while abiding by the copyright standards, the creation of programmes and their broadcasting for regional minorities which reside on the territory of the other Contracting Party.

**MEMORANDUM OF UNDERSTANDING on Cooperation between the Minister of National
Education of the Republic of Poland and the Ministry of Education and Science of Ukraine**

drawn up in Górowo Iławeckie on 2 July 2001

(Official Gazette [*Monitor Polski*] of 2002, No 6, item 127)

Article 1

The Parties shall cooperate following the principles of mutuality and equality before the law, paying particular attention to the following issues:

- exchange of information on the systems of education, their development plans and directions of reforms;
- training of specialists in the areas being the subject of mutual interest;
- raising and improving the quality of teaching of the Polish language in Ukraine and of the Ukrainian language in the Republic of Poland;
- providing the national minorities, the Ukrainian national minority in the Republic of Poland and the Polish national minority in Ukraine, with the conditions for teaching of the native language and teaching in the native language on preschool level, level of elementary and post-elementary school and at universities;
- supporting scientific cooperation between universities, in particular joint research in the field of history of the Polish-Ukrainian relations and Polish and Ukrainian studies;
- supporting the organisation of joint scientific events, conferences, symposia and competition for youth;
- developing direct contacts and cooperation between the universities, elementary and post-elementary schools.

Article 6

The Parties shall provide persons belonging to the Ukrainian national minority resident on the territory of the Republic of Poland and persons belonging to the Polish national minority resident on the territory of Ukraine with the conditions for teaching in the native language and for teaching of the said native language as well as the minority's culture and history in preschools, elementary and post-elementary comprehensive schools, within the framework of systems of education of Poland and Ukraine, and shall support the improvement of quality of teaching of these subjects.

The Parties shall support the creation of appropriate conditions for learning the native language at universities, with a particular focus on training teachers of Polish language and Ukrainian language and improving their qualifications as well as on improving language skills among teachers of other subjects teaching in this language.

Article 8

The Parties shall provide mutual assistance in the area of equipping schools and educational institutions with textbooks, methodical literature and teaching aids in order to meet the educational needs of members of national minorities.

AGREEMENT between the Government of the Republic of Poland and the Government of Ukraine on the Protection of Memorial Sites and Final Resting Places of Victims of Wars and Political Repression

drawn up in Warsaw on 21 March 1994

The Government of the Republic of Poland and the Government of Ukraine, hereinafter 'Contracting Parties', in accordance with the endeavours of their nations to commemorate, with due respect, the memorial sites and final resting places of the killed and murdered as a result of warfare or repression, both on the territories of Poland and Ukraine, considering the provisions of Article 17 of the Treaty between the Republic of Poland and Ukraine on Neighbourliness, Friendly Relations and Cooperation signed in Warsaw on 18 May

1992, following the respective provisions of the Geneva Conventions on the Protection of War Victims 12 August 1949 and Additional Protocols thereto, in their endeavours to ensure free flow of information and full access to the source verified truth, acting to the benefit of friendly relations between both nations and their mutual understanding in the future, have agreed as follows:

Article 1

The Contracting Parties shall follow the provisions of this Agreement in the resolution of any matters related to the identification, registration, arrangement, maintenance and due preservation of memorial sites and final resting places of victims of warfare or political repression as well as to the exhumation of remains of dead bodies and their inhumation with due respect.

Article 2

In this Agreement the following expressions shall have the following meaning:

'memorial site' shall mean a place associated with struggle or martyrdom,

'arrangement of memorial sites and final resting places' shall mean fixing of their limits, raising of tombstones, monuments and commemorative structures and displaying commemorative plaques,

'preservation of memorial sites and final resting places' shall mean protection of graves, tombstones, monuments, commemorative structures and their maintenance in due order.

Article 3

1. The Contracting Parties shall exchange any information they have relating to the location of memorial sites and final resting places, their number and size and personal data of the fallen and murdered as well as any other information relating to those persons, connected with the implementation of this Agreement. On the basis of this information, the Parties shall prepare official lists of memorial sites and final resting places.

2. Should new memorial sites or final resting places be identified, the Contracting Party on whose territory they are located shall undertake immediate measures aimed at their protection. Such places, by mutual agreement between the Contracting Parties, shall be included on the official lists of the memorial sites and final resting places.

Article 4

1. Each Contracting Party, on the territory of its state, shall ensure the preservation of the memorial sites and final resting places of soldiers and civilians of the other Contracting Party, referred to in Article 1 of this Agreement, in accordance with the relevant provisions of the Geneva Conventions on the Protection on War Victims and Additional Protocols thereto.
2. Each Contracting Party, on the territory of its state, shall support the undertakings of the other Contracting Party connected with the arrangement of memorial sites and final resting places as well as the commemoration of the fallen and murdered. The undertakings may involve the use of national and religious symbols. In specific cases, with the consent of the Contracting Parties, also other forms of commemoration of the fallen and murdered may be used.
3. The Contracting Parties shall notify each other about any cases of vandalism at memorial sites or final resting places and shall undertake measures aimed at restoring those places and preventing similar acts in the future.
4. The Contracting Parties shall endeavour to remove from the areas on which memorial sites or resting places are located and from the adjacent areas, all objects in disaccord with the status of such places.
5. In the fulfilment of their undertakings referred to in this Article, the Contracting Parties shall take account, if necessary, of national customs and religious traditions of other nations.

Article 10

1. Each Contracting Party shall, in accordance with the legislation of its State and the existing bilateral agreements, ensure that the citizens of the other Contracting Party have free access to the memorial sites and final resting places of their compatriots.
 1. The Contracting Parties shall support the establishment and maintenance of museums and meeting places in the neighbourhood of the memorial sites and final resting places.