

**ACT**  
**of 6 January 2005 on national and ethnic minorities and on the**  
**regional languages**

**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, and the observance of the principle of equal treatment of individuals irrespective of their ethnic descent; it also defines the tasks and powers of government administration agencies and of 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 fulfil 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 100 years;
- 6) identifies itself with a nation organized in its own state.

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

- 1) Byelorussians;
- 2) Czechs;
- 3) Lithuanians;
- 4) Germans;
- 5) Armenians;
- 6) Russians;
- 7) Slovaks;
- 8) Ukrainians;
- 9) Jews.

3. An ethnic minority, as defined by this Act, shall be a group of Polish citizens who jointly fulfil 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 100 years;
- 6) does not identify itself with a nation organized 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 mentions:

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

### **Article 4**

1. Every person belonging to a minority shall have the right to decide freely about being treated as belonging or not belonging to a minority, and the relevant choice or the enjoyment or non-enjoyment of the related rights shall not entail any adverse effects.
2. No-one shall be obligated, unless by virtue of a law, to reveal information on his/her belonging to a minority, origin, minority language or religion.
3. No-one shall be obligated to prove his/her belonging to a given minority.
4. Persons belonging to a minority may enjoy the rights and freedoms stemming from the principles set forth in this Act, both individually as well as together with other members of the minority.

### **Article 5**

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

### **Article 6**

1. Discrimination on account of one's belonging to a minority shall be prohibited.
2. Public authorities shall be obligated 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 persons belonging to the majority;
  - 2) protect persons who are an object of discrimination, hostility or violence because of their belonging to a minority;
  - 3) build up inter-cultural dialogue.

## **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 competent minister in charge of public administration, in consultation with the competent minister in charge of religious denominations as well as national and ethnic minorities, shall define, by way of regulation, the method of transliteration referred to in para. 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 municipal authorities, it shall be possible to use, as supporting, the minority language as well as the official one.
2. A supporting language might be used only in these municipalities 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 municipality residents and who have been entered into the Official Register of Municipalities, hereafter referred to as "Official Register," where a supporting language is used.
3. The possibility to use a supporting language shall mean that persons belonging to a minority, subject to para. 5, shall have the right to:
  - 1) apply to the municipal authorities in the supporting language, either in a written or oral form;
  - 2) obtain, on his/her 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 competent minister in charge of religious denominations and national and ethnic minorities, on the basis of a relevant application of a municipal council
2. The motion referred to in para. 1 shall contain, in particular, the official data concerning the number of the municipality 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 municipal council agreeing to 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 competent minister in charge of religious denominations and national and ethnic minorities shall examine the motion referred to in para. 1. If the motion does not meet the requirements specified in para. 2, the competent minister in charge of religious denominations and national and ethnic minorities may refuse entry into the Official Register.
4. The competent minister in charge of religious denominations and national and ethnic minorities shall refuse entry into the Official Register if the number of the municipality 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 municipality residents.
5. The municipal 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 municipal council, the competent minister in charge of religious denominations and national and ethnic minorities shall strike this municipality out of the Official Register.
7. The competent minister in charge of religious denominations and national and ethnic minorities shall, in consultation with the competent minister in charge of public administration, by way of regulation, define the method of keeping the Official Register, and the specimen application mentioned in para. 1, taking into consideration particularly those data which allow an unambiguous identification of the municipality (the name of the region, the county and the municipality), and information referred to in para. 2.

## **Article 11**

1. The municipality entered into the Official Register may grant a salary supplement for the command of the supporting language, binding in this municipality, to the relevant employees of the municipality office, units and budgetary agencies. The rules of granting such supplement and its amount shall be defined by the regulations applying to the remuneration of self-government officials.
2. The command of a supporting language shall be certified.
3. The competent minister in charge of religious denominations and national and ethnic minorities shall, in consultation with the competent minister in charge of public administration, by way of regulation, specify the list of certificates referred to in para. 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 places and geographical objects,
- 2) street names

— established in the Polish language, pursuant to separate regulations.

2. Additional names, referred to in para 1, shall be used solely on the territories of the municipalities entered into the Register of municipalities where names are used in the respective minority language, hereafter called "Register of Municipalities," kept by the competent minister in charge of religious denominations and national and ethnic minorities. Entries into the Register of Municipalities shall be made by the competent minister in charge of religious denominations and national and ethnic minorities, on the request of the municipal council of that gmina on whose territory these names are to be used, subject to para. 7 and Article 13 paras 1—7.

3. Additional names, referred to in para. 1, shall not refer to the names used in the years between 1933—1945, 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 para. 1, on the territory of the entire municipality or in particular localities.

5. The additional names, referred to in para. 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 place or geographical object in a minority language shall be established, provided that:

1) the number of municipality residents belonging to a minority is no less than 20 per cent of the total number of this municipality residents or, in case of an inhabited place, in consultations held under the procedure established in Article 5a para. 2 of the Local Government Act of 8 March Act 1990 (Journal of Laws No. 142, 2001, item 1591, as amended), 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) the municipal council's application gained approval of the Committee on Names of Places and Geographical Objects, formed in pursuance to the Act of 29 August 2003 on official names of places and geographical objects (Journal of Laws No. 166, item 1612).

8. The relevant provisions of the Act referred to in para. 7, sub-para. 1 shall apply to the establishment of additional street names in a minority language.

## Article 13

1. The municipal council shall lodge the application, referred to in Article 12 para. 7, on the motion of municipality residents belonging to a minority or on its own initiative. In case of an application concerning the name of an inhabited place, the municipal council shall be

obligated first to consult the matter with residents of this place, within the procedure defined in Article 5a para. 2 of the Local Government Act.

2. The municipal council shall lodge the application referred to in Article 12 para. 7 to the competent minister in charge of religious denominations and national and ethnic minorities through the local governor's office.

3. The application referred to in Article 12 para. 7 shall contain:

- 1) the municipal resolution concerning the establishment of an additional name for a place or physiographical object;
- 2) the correct official name of the place or physiographical object in Polish;
- 3) in case of a physiographical object, the relevant opinions of the regional government boards (*zarządy województw*) where the object is situated;
- 4) the proposed additional name in the minority language;
- 5) discussion of the results of the consultation referred to in para. 1 and in Article 12 para. 7 sub-para 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 para. 3 sub-para. 3 was expressed within 30 days from the receiving of the request for such opinion.

5. The local governor shall be obligated to convey to the competent minister in charge of religious denominations and national and ethnic minorities the application, referred to in Article 12 para. 7, and his/her own opinion of it no later than within 30 days from the day the motion was introduced to him/her. The competent minister in charge of religious denominations and national and ethnic minorities shall submit the motion for approval of the Committee on Names of Places and Physiographical Objects. The Committee on Names of Places and Physiographical Objects shall express its opinion to the competent minister in charge of religious denominations and national and ethnic minorities through the agency of the competent minister in charge of public administration as soon as it examined the motion.

6. The additional name of a place or physiographical object in a minority language shall be deemed established if it has been entered into the Official Register.

7. The entry referred to in para. 6 shall be made by the competent minister in charge of religious denominations and national and ethnic minorities upon being conveyed a favourable opinion of the Committee on Names of Places and Physiographical Objects.

8. The competent minister in charge of religious denominations and national and ethnic minorities shall refuse entering into the Official Register an additional name of a place or physiographical object in a minority language or shall strike this name out of this Register if the name refers to the name used in the years between 1933—1945, given by the authorities of the German Third Reich or of the Union of Soviet Socialist Republics.

9. It shall be possible to lodge a complaint to an administrative court against the refusal to make such entry as referred to in para. 8.

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

- 1) for entering the municipality into the Official Register,

2) for establishing an additional name of a place or geographical object in a minority language, taking into account a detailed scope of information given in the Official Register.

11. The competent minister in charge of religious denominations and national and ethnic minorities, in consultation with the competent minister in charge of public administration, shall describe, by way of regulation, the method of keeping the Official Register and a detailed scope of information to be given in this Register, taking into account the description of the region and the county on whose territory the municipality is situated, the name of the municipality, the official name of the place or geographical object as well as the additional name in the minority language.

12. The competent minister in charge of transport, in consultation with the competent minister in charge of religious denominations and national and ethnic minorities and with the competent minister in charge of 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 municipality residents belonging to a minority, referred to in Article 9 para. 2, Article 10 para. 4 and Article 12 para. 7 sub-para. 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 a supporting language on the territory of the municipality and the costs involved in the introduction of additional names, referred to in Article 12 para. 1, in a minority language, shall be borne by the municipality budget, subject to para. 2.

2. The costs involved in the change of information boards, resulting from the adoption of an additional name of a place or geographical object in the minority language shall be borne by the State budget.

#### **Article 16**

The competent minister in charge of religious denominations and national and ethnic minorities shall issue a directive on the translation of this Act into minority languages.

### **Chapter 3**

#### **Education and culture**

#### **Article 17**

The exercise of the right of persons belonging to the minority to learn or to be instructed in the minority language, and also the right of these persons to education of the minority history and culture shall be performed in accordance with the principles and procedures specified in

the Act of 7 September 1991 on the system of education (Journal of Laws of 2004, No. 256, item 2572; No. 273, item 2703 and No. 281, item 2781).

### **Article 18**

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

2. The measures referred to in para. 1 may, in particular, include targeted grants and core grants to finance:

- (1) the activities 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 the minorities;
- (5) protection of places associated with minority;
- (6) activities of local cultural clubs;
- (7) the running of libraries and documentation of minority cultural and artistic life;
- (8) education of children and youth, effected in various forms;
- (9) promotion of knowledge about minorities;
- (10) other programmes accomplishing the purposes referred to in para. 1, and promoting civic integration of minorities.

3. Grants, referred to in para. 2, covered by the State budget in part that is at the disposal of the competent minister in charge of religious denominations and national and ethnic minorities, may be appropriated without call for competition under the open tender procedure. Each year, the competent minister in charge of religious denominations and national and ethnic minorities shall announce the procedural principles in matters relating to the appropriation of grants referred to in para. 2. Articles 14-18 of the Act of 24 April, 2003 on public benefit and volunteer work (Journal of Laws of 2003, No. 96, item 873 and of 2004, No. 64, item 593; No. 116, item 1203 and No. 210, item 2135) shall apply accordingly.

4. The measures referred to in para. 1 may also include financial means transferred from the budget of a local government unit to organizations or institutions performing tasks conducive to the protection, maintenance and development of the minority cultural identity.

5. Minority organizations or cultural organizations of considerable significance for minority culture may accept core grants, referred to in para. 2. The provision of Article 73 para. 4 of the Act of 26 November 1998 on public finances (Journal of Laws of 2003, No. 15, item 148, as amended<sup>2</sup>) shall apply accordingly.

**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 municipality 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 paras 2, 3 and 5 shall apply accordingly.

3. The measures referred to in para. 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.

**Chapter 5**  
**Agencies in charge of national and ethnic minorities**

**Article 21**

1. The competent minister in charge of religious denominations and national and ethnic minorities shall be the government administration agency in charge of matters this Act concerns.

2. In particular, the competent minister in charge of religious denominations and national and ethnic minorities shall:

- 1) promote the exercise of minority rights and needs through activities undertaken on behalf of minorities and through initiating programmes relating to:
  - a) the maintenance and development of a given minority's identity, culture and language, with the guarantee of the full civic integration of persons belonging to a minority,
  - b) the observance of the principle of equal treatment of persons without regard to their ethnic origin;
- 2) cooperate with competent agencies in counteracting violations of minority rights;

- 3) make analyses and assessments of the legal and social situation of minorities, including the observance of the principle referred to in sub-para. 1(b);
- 4) disseminate knowledge of minorities and their respective culture, and also initiate research into the situation of minorities, including research into the acts of discrimination referred to in Article 6 para. 1, its manifestations and strategies for counteracting such acts;
- 5) take steps to preserve and develop the language referred to in Article 19.

## **Article 22**

1. The tasks of the local governor shall include:

- 1) coordination within the territory of his/her region of the activities of those government administration agencies who carry out tasks for the benefit of a minority;
- 2) taking measures to ensure respect for minority rights and to counteract violations of these rights and discrimination against persons belonging to a minority;
- 3) taking steps to solve minority problems;
- 4) taking measures to ensure respect for the rights of persons using a language referred to in Article 19.

2. In order to carry out the tasks referred to in para. 1, the local governor shall cooperate with local government agencies and social organizations, in particular with minority organizations, and express his/her opinion on programmes for the benefit of minorities, and also those for preservation and development of the language referred to in Article 19, carried out in a given region.

3. Under Article 35 of the Act of 5 June 1998 on Central Government Administration in Regions (Journal of Laws of 2001, No. 80, item 872, as amended), the local governor may appoint, for unspecified time, a plenipotentiary for national and ethnic minorities.

## **Article 23**

1. There shall be appointed a Joint Commission of Government and National and Ethnic Minorities 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 laws concerning minorities;
- 4) voicing opinions on the amount and the principles of the distribution of the budgetary 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) the competent minister in charge of religious denominations and national and ethnic minorities,
- b) the competent minister in charge of public administration,
- c) the competent minister in charge of culture and protection of national legacy,
- d) the competent minister in charge of education,
- e) the competent minister in charge of public finance,
- f) the competent minister in charge of labour affairs,
- g) the Minister of Justice,
- h) the competent minister in charge of internal affairs,
- i) the competent minister in charge of social security,
- j) the competent minister in charge of foreign affairs,
- k) the President of the Central Statistical Office,
- l) the Council for Preservation of Monuments to Struggles and Martyrdom,
- m) the Head of the Chancellery of the Prime Minister;

2) minority representatives:

- a) two representatives of the Byelorussian 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 competent minister in charge of religious denominations and national and ethnic minorities.
2. The Prime Minister shall, on the motion of the competent minister in charge of religious denominations and national and ethnic minorities, appoint and dismiss members of the Joint Commission.
  3. The competent minister in charge of religious denominations and national and ethnic minorities shall notify the agencies referred to in para. 1 sub-para. 1 and minority organizations and those of the community using the language referred to in Article 19 of his/her intention to put forward to the Prime Minister a motion referred to in para. 2.
  4. The agencies referred to in para. 1 sub-para. 1 shall put forward candidates for Joint Commission members to the competent minister in charge of religious denominations and national and ethnic minorities within 90 days from the day they received the notice referred to in para. 3.
  5. Particular minorities referred to in Article 2 and the community using the language referred to in Article 19 shall put forward their candidates for Joint Commission members, representing a given minority or community using the language referred to in Article 19, in the number settled for this minority or community in para. 1 sub-para. 2 or sub-para. 3 respectively, to the competent minister in charge of religious denominations and national and ethnic minorities within 90 days from the day they received the notice referred to in para. 3.
  6. If within a deadline set in para. 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 settled for this particular minority in para. 1 sub-para. 2, and for the community—in para. 1 sub-para. 3, then the competent minister in charge of religious denominations and national and ethnic minorities shall ask for the opinion of this minority or community on his/her candidates for Joint Commission members, chosen from among representatives of this particular minority or community. In case this minority or community has not expressed its opinion within 30 days from the day the competent minister in charge of 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 para. 2, the competent minister in charge of 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 para. 1 sub-para. 1, and by minorities or a community using the language referred to in Article 19, subject to para. 6, and also a candidate for the post of the Joint Commission's secretary.

## **Article 25**

1. The competent minister in charge of religious denominations and national and ethnic minorities shall put forward a proposal to the Prime Minister to dismiss a member of the Joint Commission in case where:
  - 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 competent minister in charge of 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 case of death, membership of the Joint Commission expires.

3. In case of the expiry of membership of the Joint Commission or of the dismissal of a member, the Prime Minister, on a motion of the competent minister in charge of religious denominations and national and ethnic minorities, shall appoint a new member of the Joint Commission. Provisions of Article 24 paras 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 para. 1 sub-para 1. Article 24 paras 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 competent minister in charge of 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 para. 1 sub-paras 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 competent minister in charge of 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 competent minister in charge of 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 para. 1 sub-paras 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 competent minister in charge of 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 para. 1 sub-para 1. The co-chairperson shall convey their position to the remaining members of the Joint Commission forthwith.

5. The positions referred to in paras. 3 and 4, and also the opinions referred to in Article 23 para. 2 shall be conveyed to the Prime Minister and to the Council of Ministers forthwith.

6. The Prime Minister shall, by way of regulation, draw up detailed regulations pertaining to the Joint Commission's work.

### **Article 29**

1. Members of the Joint Commission shall not be entitled to remuneration on account of their Joint Commission membership.

2. The representatives of organizations of a minority and of the community using the language referred to in Article 19, who shall be engaged in the Joint Commission work, shall be entitled to reimbursement of travelling expenses and accommodation according to the principles defined in the 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 an official travel within the country, issued on the basis of Article 77 § 2 of the Labour Code.

### **Article 30**

1. The office of the competent minister in charge of 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 competent minister in charge of religious denominations and national and ethnic minorities.

### **Article 31**

1. Agencies of government administration and of local government, and organizations of the minority and of the community using the language referred to in Article 19 shall be obligated to transmit, on the motion of the competent minister in charge of religious denominations and national and ethnic minorities, information regarding the sphere of activity of these agencies or organizations, and concerning the situation of the minority and community using the language referred to in Article 19, or the execution of tasks for the benefit of the minority or the preservation and development of the language referred to in Article 19.

2. The range of information referred to in para. 1 shall be subject to the Joint Commission's opinion.

3. The competent minister in charge of religious denominations and national and ethnic minorities shall prepare, at least once every two years, a report on the situation of minorities in the Republic of Poland, taking into account the information referred to in para. 1. The report shall be subject to the Joint Commission's opinion.

4. The report together with the opinion referred to in para. 3 shall be presented to the Council of Ministers, and then, upon its approval by the Council of Ministers, published in the electronic form by the competent minister in charge of religious denominations and national and ethnic minorities.

## **Article 32**

Agencies of government administration and of local government, and non-governmental organizations shall be obligated to provide the local governor, with a view to encountering his/her opinion, with the documents regarding the programmes in which they shall participate in their regions, and which shall concern the minority or the preservation and development of the language referred to in Article 19, and which will be financed in full or in part by public funds.

## **Chapter 6**

### **Amendments to the provisions in force; transitory and final provisions**

#### **Article 33\* repealed**

#### **Article 34**

In Article 13 of the Act of 7 September 1991 on the system of education (Journal of Laws of 2004, No. 256, item 2572; No. 273, item 2703 and No. 281, item 2781), paras 6 and 7 shall be added to Article 13, to read as follows:

"6. The competent minister in charge of education shall take measures to ensure possibilities of training teachers and access to textbooks for the needs of schools and public institutions referred to in para. 1.

"7. The competent minister in charge of education shall take measures to popularize the knowledge of the respective history, culture, language and religious tradition of national and ethnic minorities and the community using the regional language."

#### **Article 35**

In the Broadcasting Act of December 29, 1992 (Journal of Laws of 2004, No. 253, item 2531) the following changes shall be introduced:

1) in Article 21:

a) sub-para. 8a shall be added to para. 1a, to read as follows:

"8a) taking care of the needs of national and ethnic minorities, and of the community using the regional language, including the broadcasting of news programmes in the languages of national and ethnic minorities and in the regional language;"

b) in para. 2, sub-para. 9 shall be deleted;

2) para. 4a shall be added in Article 30, to read as follows:

"4a. When setting up programme councils of the branches broadcasting programmes in the languages of national and ethnic minorities and in the regional language, branch directors shall take into consideration the candidates put forward by social organizations of national and ethnic minorities and by the community using the regional language."

#### **Article 36**

The following changes shall be introduced into the Act of 4 September 1997 on branches of government administration (Journal of Laws of 2003, No. 159, item 1548, as amended):

1) Article 5, sub-para. 25 shall read:

"25) religious denominations, and national and ethnic minorities;"

2) Article 30 shall read:

"Article 30. The religious denominations and national and ethnic minorities section shall deal with the following issues:

1) relations between the State and the Catholic Church and other churches and religious unions;

2) related with the maintenance and development of the respective cultural identity of national and ethnic minorities, and with the preservation and development of the regional language."

### **Article 37**

In the Act of 7 October 1999 on Polish language (Journal of Laws, No. 90, item 999, as amended). Article 2 sub-para. 2 shall read as follows:

"2) the rights of national and ethnic minorities, and of the community using the regional language."

### **Article 38**

In the Act of 29 August 2003 on official names of places and physiographical objects (*Dziennik Ustaw*, No. 166, item 1612), in Article 5 para. 1, sub-para. 6 shall be added after sub-para. 5, to read as follows:

"6) secretary of the Joint Commission of Government and National and Ethnic Minorities, formed on the basis of the provision of Article 23 of the Act of 6 January 2005 on national and ethnic minorities and on regional languages (Journal of Laws No. 17, item 141)."

### **Article 39**

The competent minister in charge of religious denominations and national and ethnic minorities shall notify the agencies referred to in Article 24 para. 1 sub-para. 1, and minority organizations and the community using the regional language, referred to in Article 19, about his/her intention to put forward to the Prime Minister a motion referred to in Article 24 para. 2, within 60 days from the promulgation of this Act.

### **Article 40**

To matters embraced by the provisions of this Act, which are regulated by the provisions of international agreements binding on the Republic of Poland, and ratified with the previous consent expressed in a law, provisions of these agreements shall apply.

### **Article 41**

Employees of the office of the competent minister in charge of culture and protection of national legacy, who shall from the day of the promulgation of this Act ensure the execution of the tasks pertaining to the rights of national and ethnic minorities, shall on that day become employees of the office of the competent minister in charge of religious denominations and national and ethnic minorities. Provisions of Article 23 of the Labour Code shall apply accordingly.

#### **Article 42**

1. The property of the office of the competent minister in charge of culture and protection of national legacy, which serves for the execution of the tasks pertaining to the rights of national and ethnic minorities, shall on the day of the promulgation of this Act become the property of the office attending to the competent minister in charge of religious denominations and national and ethnic minorities.

2. Resources set out in part 24 of the State budget, regarding culture and protection of national legacy, allocated to the execution of the tasks pertaining to minority rights and to subsidizing the publication of periodicals in the regional language shall on the day of the promulgation of this Act be reallocated to part 43 of the State budget, regarding religious denominations and national and ethnic minorities.

#### **Article 43**

This Act shall enter into force three months after its promulgation, except for Articles 36, 39, 41 and 42 which shall enter into force on the day of the promulgation of this Act.

President of the Republic of Poland: *A. Kwasniewski*