

ORDINANCE OF THE MINISTER OF CULTURE¹
dated 24 February 2003

**on the amount of the percentage of contributions to the Fund for the Promotion of
Creative Activity**

(Journal of Laws of 10 March 2003)

Pursuant to Article 40 Section 3 of the Act on Copyright and Related Rights dated 4 February 1994 (Journal of Laws of 2000, No. 80, Item 904, of 2001, No. 128, Item 1402 and of 2002, No. 126, Item 1068 and No. 197, Item 1662) the following is hereby decreed:

§ 1. It is hereby determined that the amount of the percentage, referred to in Article 40 Section 1 of the Act on Copyright and Related Rights dated 4 February 1994, of contributions made to the Fund for the Promotion of Creative Activity shall be 5%.

§ 2. 1. In the event of publication of works covered by the protection arising from the author's economic rights together with works not covered by such protection, the contribution made to the Fund for the Promotion of Creative Activity shall be reduced on a *pro rata* basis.

2. The calculation of the reduction of the contribution on a *pro rata* basis shall be made taking into account the volume of works referred to in Section 1 included in the publication, which are counted, depending on the type of the work – in author's sheets or on the basis of the work duration.

3. A reduction of the contribution made on a *pro rata* basis shall not apply to the works forming the layout accompanying the works which are not covered by the protection arising from the author's economic rights unless such works have an equivalent character.

§ 3. The Ordinance of the Minister of Culture and Art dated 22 December 1994 on the amount of contributions to the Fund for the Promotion of Creative Activity made in respect of the copies of works whose protection arising from the author's economic rights has expired, detailed rules of disbursements from that Fund and allocation of scholarships and social allowance from the Fund (Journal of Laws No. 138, Item 735) shall become invalid within the scope referring to the percentage of proceeds from the sale of copies of the works whose term of protection arising from the author's economic rights has expired.

§ 4. The Ordinance shall come into force as of 1 April 2003.

¹ The Minister of Culture shall be in charge of the governmental administration department – culture and protection of national heritage, pursuant to § 1 Sec. 2 of the Ordinance of the President of the Council of Ministers dated 29 March 2002 on the detailed scope of activity of the Minister of Culture (Journal of Laws No. 32, Item 303).