

ORDINANCE OF THE MINISTER OF CULTURE ¹
dated 17 January 2003

on the entities entitled to file applications for the award of funds from the Fund for the Promotion of Creative Activity and formal requirements to be met by such applications

(Journal of Laws of 30 January 2003)

Pursuant to Article 114 Section 2 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. 1. The author, publisher, producer, cultural institution, organization for collective management of copyright or related rights and a creative association may file the following applications with the Fund for the Promotion of Creative Activity referred to in Article 111 of the Act on Copyright and Related Rights dated 4 February 1994, hereinafter called the "Fund":

- 1) for awarding a scholarship to the author;
- 2) for financing the costs, in whole or in part, of the publications having a special importance for the Polish culture and science, as well as the publications for the blind;
- 3) for awarding a social allowance to the author.

2. The application for the funds, which is referred to in Section 1 Items 1 and 2, shall be filed by the 30th of January.

3. The application for awarding the social allowance to the author may be filed at any time.

§ 2. The application for the scholarship shall contain:

- 1) personal data of the candidate;
- 2) information on his/her creative output and the documents containing the examples of the creative activity for the last three years;
- 3) a program of the scholarship covering the work plan of the candidate during the period of collecting the funds as part of the scholarship;
- 4) the requested term of the scholarship.

§ 3. 1. The scholarships shall be awarded for the quarterly, semi-annual or the annual period.

2. In justified cases a single scholarship may be awarded.

§ 4. 1. The application for financing the costs, in whole or in part, of the publications of works having a special importance for the Polish culture and science and the publications for the blind shall contain the following data:

- 1) full name and the place of residence as well as the address of the applicant being a natural person, or the name, registered seat and the address of the applicant other than the natural person;

- 2) description of the purpose for which the funds are to be allocated, the dates of commencement and completion, as well as the stage of advancement of the work for which the funds are to be awarded;
- 3) the amount of the requested funds together with a preliminary calculation;
- 4) the requested dates of disbursement.

2. The producer or publisher shall file the application with the enclosed commitment of refund of the surplus up to the amount of the funds obtained from the Fund in the event that the proceeds gained from the publication whose costs were financed in whole or in part with the resources of the Fund, exceed the outlays made by the producer or publisher.

§ 5. The application for awarding the social allowance shall contain:

- 1) personal data of the author;
- 2) information on his/her creative output;
- 3) information on the financial condition of the author together with his/her statement concerning the income gained during the period of the last twelve months.

§ 6. The social allowance shall be awarded only once.

§ 7. The Ordinance shall come into force as of the date of its promulgation.²⁾

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).

² This Ordinance was preceded by 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 payable in respect of the works whose term of protection under the copyright has elapsed, detailed principles of disbursements from that Fund and the awarding of scholarships and social allowances from that Fund (Journal of Laws No. 138, Item 735), which became invalid on 1 January 2003 within the scope of awarding the scholarships and social allowances as well as funds for the financing in whole or in part of the publications of works having a special importance for the culture and science and the publications for the blind.