

POLAND LAW ON PUBLIC BENEFIT ACTIVITY AND VOLUNTEERISM

Article 4

1. The domain of public tasks mentioned in the Law covers tasks in the following fields:

- 1) social care, including assisting families and individuals in difficult life situations, and providing equal opportunities to such families and individuals;
- 2) charitable activities;
- 3) sustaining national tradition, cultivating Polishness, and the development of national, civil, and cultural identity;
- 4) activities for the sake of national minorities;
- 5) protection and promotion of health;
- 6) activities for the sake of the handicapped;
- 7) promotion of employment and job-related motivation of individuals who are unemployed or who are threatened with redundancies;
- 8) protection and promotion of women's rights and activities for the sake of equal rights for men and women;
- 9) activities that support economic development, including the development of entrepreneurship;
- 10) activities supporting the development of communities and local communities;
- 11) science and humanities, education and upbringing;
- 12) tourism and leisure of children and adolescents;
- 13) culture, arts, protection of national heritage and tradition;
- 14) promotion of sports;
- 15) natural environment and animal welfare and the protection of environmental heritage;
- 16) public order and social safety and prevention of social pathologies;
- 17) promotion of knowledge and skills for the State defense;
- 18) protection and promotion of human rights and freedoms, as well as activities supporting the development of democracy;
- 19) protection of people and emergency rescuing;
- 20) assistance to the victims of catastrophes, natural disasters, military conflicts and wars in the territory of the State and abroad;
- 21) protection and promotion of consumer rights;
- 22) activities for the sake of the European Integration and development of relations and co-operation among nations;
- 23) promotion and organization of volunteerism;
- 24) activities that provide technical support, training, information and/or financial assistance to non-governmental organizations and units mentioned in art. 3 par. 3, within the scope of points 1–23.

2. The Council of Ministers may, through a decree, designate tasks in addition to those mentioned in par. 1; these tasks will belong to the field of public tasks. In doing so the Council will be guided by these tasks' particular social usefulness and the fact that units mentioned in art. 5 par. 1 are able to perform the tasks to the extent necessary to provide for social demands.

Article 3

1. Public benefit activity is an activity that is socially useful and is performed by non-governmental organizations in the field of public tasks mentioned in the Law.
2. Non-governmental organizations are legal entities or entities with no legal personality created on the basis of provisions of laws, including foundations and associations, taking into consideration par. 4. Non-governmental organizations are not bodies of the sector of public finances in the understanding of regulations governing public finances, and operate on a not-for-profit basis.
3. Public benefit activities may also be performed by:
 - 1) legal entities and organizational units operating on the basis of regulations governing the relation between the State and Catholic Church in the Republic of Poland, the relation between the State and other churches as well as religious unions, and the guarantees of the freedom of faith and conscience, provided their statutory goals include the performing of public benefit activities;
 - 2) associations of units of local government.
4. The regulations from Section II do not apply to:
 - 2) political parties;
 - 3) trade unions and organizations of employers;
 - 4) professional self-governments;
 - 5) foundations founded solely by the State Treasury and/or a unit of self-government, unless:
 - a) separate regulations state otherwise,
 - b) the property of the foundation does not belong entirely to the State or its municipal bodies, or is not financed with public resources under the framework of the Law on Public Finances, or
 - c) the foundation performs its statutory activities in the field of science or humanities, particularly for the sake of science or humanities;
 - 6) foundations established by political parties;
 - 7) companies operating pursuant to the regulations governing sport activities.
5. The regulations from Chapter 2 Section II do not apply to commissioning tasks in the field of protecting the Polish Diaspora and Polish citizens abroad, financed from the portion of the state budget that is at the disposal of the Head of the Senate Chancellery.

Article 5

1. Public administration organs perform activities in the field of public tasks that are mentioned in art. 4 in co-operation with non-governmental organizations and entities mentioned in art. 3 par. 3, which perform public benefit activities, taking into consideration the territorial division of public administration bodies. In particular, the co-operation may be conducted in the form of:
 - 1) commissioning non-governmental organizations and entities mentioned in art. 3 par. 3 to perform public tasks according to the rules set by the Law;
 - 2) mutually providing information about planned directions of activities and co-operation in order to harmonize these directions;
 - 3) consulting with non-governmental organizations and entities mentioned in art. 3 par. 3, according to their scope of activities, regarding legislative projects in the fields related to the statutory activities of such organizations;
 - 4) establishing mutual teams responsible for advising and initiative that consist of representatives of non-governmental organizations and entities mentioned in art. 3 par. 3 and representatives of relevant public administration bodies.
 2. The co-operation, mentioned in par. 1, is implemented based on the following rules: subsidiarity, independence of each side, partnership, effectiveness, fair competition and transparency.
 3. The decision-making body of a local government unit adopts an annual programme of co-operation with non-governmental organizations and entities mentioned in art. 3 par. 3.
 4. Commissioning public tasks, which are mentioned in par. 1 point 1 – as commissioned tasks described by art. 69 par. 4 point 1 letter d) and art. 71 par. 1 of the Law on Public Finances may be implemented in the following forms:
 - 1) commissioning public tasks, which is accompanied by a donation to finance its implementation or
 - 2) supporting such tasks, which is accompanied by a donation to participate in their financing.