

Legislative amendments of relevance to the tourist industry



The Covid-19 Act institutes some public aid mechanisms for the cultural sector.

Who is eligible ?

As Financial support is to extend to all natural persons, legal persons, and organisational entities without legal personality unable to continue their creative or artistic operations in accordance with their usual course due to the official imposition of an epidemic risk state or of a state of epidemic and the resulting restrictions, but which could operate their basic activities upon shifting to new distribution / audience access forms.

For these purposes, the obvious change of distribution form would be constituted in moving the cultural activity online.

Financial support may be available for **cultural activity benefiting from state patronage** under the executory laws promulgated on the basis of art. 9a of the legislative Act of 25 October 1991 regarding organisation and pursuit of cultural activity or audio-visual production.

For purposes of the Act just cited, organisational forms of cultural activity include, in particular, theatres, operas, operettas, philharmonics, orchestras, film institutions, cinemas, museums, libraries, cultural centres, art clubs, art galleries, and documentation / research institutions specialising in different realms of culture. Any financial support will be extended to subsidise the shift to the new distribution form.

The catalogue of activities benefitting from state patronage includes:

- Cultivation and propagation of the national and state traditions;
- Propagation and promotion of artistic creation;
- Propagation and promotion of literary culture and reading;
- Promotion of Polish culture abroad;
- Preservation of the cultural heritage, including Polish cultural heritage abroad;
- Safeguarding and propagating the cultural heritage, including Polish cultural heritage abroad, and care for this heritage;
- Construction and modernisation of cultural infrastructure;
- Fostering conditions for purchase, display, and propagation of modern art;
- Preservation and propagation of regional traditions and folk culture;
- Creation and implementation of IT systems in the realm of culture;
- Digitisation of cultural and national heritage assets, assembling, storing, making available, and re-use of cultural and national heritage assets in digital form;
- Cultural education of the public;

as well as audio-visual production separately specified in the Covid-19 Act.

Audio-visual and cinematographic production

As regards audio-visual production, the Covid-19 Act amends the legislative Act of 9 November 2018 regarding financial support for audio-visual so as to, hopefully, **introduce more flexibility concerning the deadlines for submission of applications for support** and of documents in the course of the relevant proceedings in order to ease the process of securing state support.

In the face of the circumstance that, for the moment being, screening films at cinemas is not possible, art. 4.1 of the legislative Act of 30 June 2005 regarding cinematography has been amended so as to extend the formal definition of “film” also to a work which, for legitimate reasons, has not had a cinema premiere. This is of some significance as regards the possibility of accounting for grants.

The financing authority

Financial support in the realm of culture may be sought from the **minister competent for cultural and national heritage matters, or from a state cultural institution designated by him**. The possibility of devolving relevant tasks onto cultural institutions was provided for in order to streamline the process of extending aid to specific recipients.

Support will be made available within successive programmes announced in the Public Information Bulletin and on the website of the ministry and/or any cultural institution designated by it.

Duration

Support under the “cultural” component of the anti-crisis shield may be extended **for as long as the country remains on an epidemic risk or epidemic footing** as well as **within 12 months after such special regime has been lifted**.

Formal conditions

The Covid-19 Act does not lay down any detailed conditions concerning financial support in the realm of culture. There are no specifics concerning the maximum value of support, the type of eligible expenses, the information to be included in an application for support, or the procedure for lodging such application.

These specifics, apparently, will be defined at some future point in an executory regulation to be promulgated by the minister competent for cultural matters.

Contact:

Marta Grabiec

senior associate

m.grabiec@gessel.pl

