RESEARCHES ON LEGISLATION AND POLICIES AT LOCAL LEVEL IN POLAND

task D.T1.2.1

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RESEARCHES ON LEGISLATION AND POLICIES AT LOCAL LEVEL
IN COUNTRY POLAND

<table>
<thead>
<tr>
<th>Name of the partner</th>
<th>City of Warsaw, Poland</th>
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<tbody>
<tr>
<td>City</td>
<td>Warsaw</td>
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RESEARCHES ON LEGISLATION AT LOCAL LEVEL

Polish law

The cultural heritage protection in Poland is regulated under Act of 23 July 2003 on the Protection and Guardianship of Monuments (hereinafter APGM) (Polish Journal of Law No. 2003.162.1568 as amended, unified version Polish Journal of Law No. 2014.1446 as amended). In the preamble of Constitution the lawmaker referred to the over one thousand years' heritage ("obliged to bequeath to future generations all that is valuable from our over one thousand years' heritage". The role of the State as the entity assigned the task of safeguarding heritage follows from the supreme law of the land. Under Article 5 of the Constitution, the Republic of Poland is to safeguard the national heritage. The involvement of the public authorities in the protection of private or public cultural heritage objects/buildings was examined by the Constitutional Tribunal.\(^1\) In the context of the participation of private entities in the management of cultural heritage, one fragment of the Constitutional Tribunal verdict is worth quoting: “in principle, the Constitution does not exclude the possibility of imposing public-law burdens on ownership above and in excess of profits borne by property. However, admissibility of such duties (burdens) is not unlimited for they may not interfere with the essence of ownership nor be a concealed (indirect) form of expropriation. Neither

can they consist in shifting the duties incumbent on the public authorities onto the owner.”

The cooperation of the State and its citizens (acting either as individuals or actors form the third sector, i.e. NGO’s) seems to be is the aim and foundation of the State and its organisational framework of cultural heritage protection.

The State is co-responsible with citizens for financing cultural heritage. The sources of financial support are available at three levels: central, regional and local. The subsidy could be awarded from 50% up to 100 % total costs of renovation or restoration process (section 8 of APGM). One (the owner or the possessor) has to file a special application together with proper documentation. There are local programs concerning granting financial support based on the city council resolution. Each year a particular sum of money is included in the city budget. One (the owner or the possessor) has to file a special application together with proper documentation. At the local level the cultural heritage is protected and reused due to the policy of the city council and the president of the city. The city inspector of monuments together with city landscape officer that is responsible for not only for historic buildings but also the esthetic view of the city in general are main actors in this area. The last element of the financial system is creating the National Cultural Heritage Protection Fund.

In the city of Warsaw one has to take into account the cultural heritage building’s legal status before using it for cultural purposes. The nationalisation of immovable property in Warsaw in the after Second World War influenced the task to give old historic buildings new functions and life (decree of 26 October 1945 on Use and Ownership of Immovable Property in Warsaw [Polish Journal of Law 1945.50.279], decree of 26 April 1949 on Acquisition and Transfer of Real Property Indispensable for the Implementation of Economic Plans [Polish Journal 1952.5.31]). Before launching a pilot action or in future projects it has to be examined if there are any reprivatization or possessory claims of the previous owners or their heirs regarding the building.

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2 The citation ans info about cultural heritage protection forms is based on A. Jagielska-Burduk, W. Szafrański, Cultural Heritage Management: A Polish Perspective, Peter Lang 2016.

3 The act was signed by the Polish President on the 2 nd of August 2017.
The heritage protection forms

The APGM introduces five heritage protection forms. They were introduced to the APGM for the purpose of distinguishing legal regimes directed at monuments according to their kind (movable or immovable) and value for cultural heritage. The APGM defines heritage protection forms as ‘special rules according to which individual monuments may be protected, depending on particular circumstances’. The most popular meaning of a heritage protection form is one restricting the meaning of heritage protection forms to the narrow meaning adopted in the Act (catalogue of forms set out in Article 7 of the APGM). Heritage protection form means also a form of administrative action, i.e. issuing a decision on an entry in the register of monuments (inventory) and constitutes a separate legal institution. The APGM offered a distinction between the legal forms of protecting heritage and the legal means of its protection, for instance, administrative decisions requiring their addressees (entities exercising control over a monument) to embark on a specific conduct with respect to a monument.

The APGM features a closed catalogue of heritage protection forms in Article 7 of the APGM. The local level actors are active in two heritage protection proceedings concerning immovable cultural property forms mainly
- in establishing cultural park
- setting protection stipulations in a local spatial development plan.

For immovable cultural heritage commune monument records which is run by a wójt, a mayor or a president of the city is also of great importance as it influences the way it can be used by the owner or possessor.

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4 R. Golat, *Ustawa o ochronie zabytków i opiece nad zabytkami. Komentarz*, Kraków 2004, p. 28. In the APCP, the concept of a protection form was not employed at all and provisions on institutions corresponding to the present protection forms and detailed provisions elaborating on them were set out in different places. For instance, Chapter IV was devoted to the register of monuments, while means of protection were set out already in Chapter II entitled ‘Object of Protection’.

Immovable cultural heritage protection forms

The register of monuments

The APGM provides for a different manner in which movable and immovable monuments are entered in the Register on the basis of a decision of a voivodeship inspector of monuments. Due to Article 9 clause 1 of the APGM, an immovable monument may be enlisted in the register of movable and immovable monuments in two ways: by a decision of a voivodeship inspector of monuments issued *ex officio* and following a request by the owner of the immovable monument, or by the perpetual owner of the land upon which the immovable monument stands. The removal of a monument from the register of monuments is provided in Article 13 of the APGM. Only damage to a monument to an extent resulting in the loss of its historic, artistic or scientific value, or a situation where the historic, artistic or scientific value has not been confirmed by a subsequent scientific examination can justify launching the removal proceeding of a monument from the register. The decision to remove is taken by the Minister of Culture and National Heritage.

The entry of a monument in the register of
monuments results in a number of duties for its holder described fe. in Article 36 of the APGM.⁶

**The cultural park**

A cultural park is a form of monument protection whose implementation is based on the will of the commune (gmina), which is a local self-government unit (monument protection is the responsibility of local authorities). Pursuant to Article 16 clause 1 of the APGM, a commune council may establish a cultural park in order to protect a cultural landscape and preserve areas of outstanding landscape with immovable monuments characteristic of local construction and settlement tradition. Article 6 of the APGM refers to a cultural landscape as an immovable property, defined as a space historically shaped by human activity, comprising products of civilisation and elements of nature. A resolution to establish a cultural park must be preceded by an opinion of a voivodeship inspector of monuments. The opinion requires a specific type of formal decision. The resolution establishing a cultural park must include: the name of the cultural park, its boundaries, form of its protection as well as any potential prohibitions and limitations that may arise when a cultural park is established. The wójt (or head of a commune, mayor of a town) is obliged to draw up a cultural park management plan in consultation with the voivodeship inspector of monuments. The plan requires endorsement by the commune council. A cultural park could be established by several communes or associations as a joint undertaking. This is very important considering cooperation between lokal units. If this is the case, all interested parties must adopt relevant resolutions. Under Article 10 clause 3 of the Act on spatial planning and development⁷, the obligation to commence work on a local spatial development plan arises within three months of, in this case, the adoption of a resolution to establish a cultural park. The resolution can introduce certain prohibitions and limitations with regard to the property to be protected such as: carrying out building works as well as industrial, breeding, commercial and service provision activity; modifying the type of use of immovable monuments; placing boards, inscriptions,

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⁶ Compare Verdict of the Voivodeship Administrative Court in Warsaw of 23 April 2009, file I SA/Wa 48/09, LEX No. 550267, and in particular the reasoning concerning those entitled to inherit that: “a monument ceases to be only and exclusively the private property of its owner”.

⁷ Ustawa z dnia 27 marca 2003 r. o planowaniu i zagospodarowaniu przestrzennym [Act of 27 March 2003 on spatial planning and development], uniform text, Dz. U. 2017.1073.
advertisements and other signs not connected with the protection of the cultural park except for road signs and signs connected with the protection of public order and safety, subject to Article 12 clause 1, storing or warehousing waste. Should the prohibitions and limitations in the use of the property made into a cultural park cause inconvenience, a compensation scheme for those affected has been envisaged, with reference to the Act of 27 April 2001 – the Law on Environment Protection. The resolution adopted by the commune council should only refer to prohibitions and limitations referred to in the APGM, which was many times confirmed in the court verdicts. The need for cultural parks and the awareness of the values offered by a cultural landscape is still unrecognised or is insufficiently present in the public mind. The participatory model of cultural heritage management requires the participation of local communities.

The monument of history

Upon a motion by the minister competent for culture and national heritage, the President of the Republic of Poland may confer the status of a monument of history on an immovable monument entered in the register of monuments or to a cultural park of particular importance for culture, specifying its borders (Article 15 clause 1 of the APGM). The Monument Protection Council gives its opinion on the minister’s proposal. Recognition of an immovable monument as a monument of history requires a regulation issued by the President. The ordinance contains the official name of the monument of history, the form of protection applicable to the monument and the values that are of particular importance for culture and worth shorter path in financial subsidy process together with special promotion.

The protection stipulations in a local spatial development plan, in a decision on public construction project location, outline planning permission, road project permission, decision on railway project location or public airport project permission

The act of 18 march 2010 (APGM novel) developed five, new measures apart from the original one concerning stipulations in a local spatial development plan. Article 7 point 4 of the APGM

8 Compare: Compare Verdict of the Supreme Administrative Court in Warsaw of 7 December 2007, file II OSK 1487/07, LEX No. 424539.
refers to six different measures that may be taken in respect of immovable monument protection, of which the last five may be undertaken in the event of the location not being subject to, or covered by, an urban spatial development plan. This legal regulation was created as an answer to the problem of the absence of local spatial development plans in Poland (plans are subject to endorsement by the voivodeship inspector of monuments). The limited extent of local spatial development plans has prompted the legislator to move the protection stipulations to an even lower level, indirectly connected with the investment process. Under Article 18 clause 1 of the APGM, the protection and guardianship of monuments is already taken into account when plans for the spatial development of the country are being drawn up or up-dated. Considerations related to monument protection are also included in the form of stipulations in strategies for the development of regions (voivodeships) and their spatial development plans, spatial development plans of inland sea waters, territorial waters and the exclusive economic zone, studies and analysis of the spatial development of poviats and the development strategies for communes (gminas), studies of the conditions and directions pertaining to spatial management of communes and local spatial development plans, or decisions specifying public construction project location, outline planning permission, road project permission, decisions specifying the location of a railway, or decisions on public airport project permission. Depending on the needs, the results of a feasibility study and stipulations of local spatial development plans, zones of conservation protection are determined, where the prohibitions, limitations and orders specified in local plans and intended to protect monuments are applicable. In the event of real estate situated within the territory subject to the predetermined limitations and prohibitions depreciating in value owing to the binding regulations of the local spatial development plan, compensation is available under the provisions of Article 36 of the Act on Spatial Planning and Development.

**Cultural heritage organisational structure and proceedings**

Among actors in cultural heritage protection two levels can be divided: national and regional. Competences of voivodship inspection of monuments can be transferred to some extent (apart from fe. decisions concerning enlisting objects in national register) from regional level at the local level (city inspector of monuments).
level | Organisational structure of public cultural heritage protection/ public administration bodies | Actors issuing decisions due to APGM in the name of the actor in first column
--- | --- | ---
central | The minister of culture and national heritage | The General Inspector of Monuments (within the organisational framework of ministry of culture and cultural heritage)
regional | The voivodeship governor | The voivodeship inspector of monuments
local | The president of the city | The city inspector of monuments

Overview of the legislation

**LEGISLATION FOR CULTURAL HERITAGE**

**NATIONAL LEVEL**

<table>
<thead>
<tr>
<th>Official title of the law</th>
<th>Act of 23 July 2003 on the Protection and Guardianship of Monuments (APGM)</th>
</tr>
</thead>
</table>

**Summary of main articles that have influence on cultural heritage reuse**

| Article 5. Guardianship of a monument exercised by its owner or possessor shall in particular consist in: |
| 1) Scientific examining and documenting the monument; |
| 2) Carrying out conservation, restoration and construction works in relation to the monument; |
| 3) Securing and preserving a monument and its surrounding in the best possible condition; |
| 4) Using a monument in a manner ensuring permanent preservation of its value; |
| 5) Popularising and disseminating knowledge on a monument and its meaning for history and culture; |

| Article 28. Regardless of the obligations in terms of guardianship of monuments specified in Article 5, owners and possessors of monuments entered into the register or monuments included on the voivodeship inventory of monuments shall notify the voivodeship inspector of monuments of the following: |
| 1) Damage, destruction, loss or theft of a monument, immediately upon gaining knowledge of the occurrence of such event; |
| 2) Threat to a monument, immediately upon gaining knowledge of the presence of the threat; |
| 3) Change of place of keeping of a movable monument within one month from the date of such change; |
| 4) Changes regarding the legal status of a monument, no later than within one month from the date of such change or gaining knowledge of such change. |

**Article 36.**

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9 Please extend the table, if needed.
1. The following shall require a permit from the voivodeship inspector of monuments:

1) Carrying out conservation, restoration and construction works in relation to a monument entered into the register;
2) Carrying out construction works in the surrounding of a monument;
3) Carrying out conservation examinations in relation to a monument entered into the register;
4) Carrying out architectural research in relation to a monument entered into the register;
5) Carrying out archaeological research;
6) Relocating an immovable monument entered into the register;
7) Permanent relocation of a monument entered into the register resulting in disturbing the design of the interior in which this monument is located;
8) Executing a division of an immovable monument entered into the register;
9) Changing the purpose or manner of use of a monument entered into the register;
10) Placing technical devices, boards, advertisements and inscriptions on a monument entered into the register, subject to Article 12.1;
11) Taking other actions potentially leading to disturbance of the substance or change of appearance of a monument entered into the register;
12) Searching for hidden or abandoned movable monuments, including archaeological monuments, with the use of any type of electronic and technical devices and diving equipment.

8. Obtaining a permit from the voivodeship inspector of monuments for the commencement of construction works in relation to a monument entered into the register shall not constitute an exemption from the obligation to obtain a construction permit or submit a construction declaration in cases specified in the provisions of the Construction Laws.

Article 72.
Conservation, restoration and construction works carried out in relation to monuments which are in possession of organisational units belonging to the public finance sector, shall be financed from financial funds granted by administrators of budget elements or units of local self-government to which these organisational units are subordinated, according to principles and procedures specified in separate regulations.

Article 73.
The natural person, unit of local self-government or another organisational unit being the owner or possessor of a monument entered into the register or permanently administering such monument (...), may apply for a designated subsidy for the co-financing of conservation, restoration or construction works in relation to this monument(…).
### Article 74

1. The subsidy for the co-financing of conservation, restoration or construction works in relation to a monument entered into the register may be granted by:

1) Minister competent for culture and protection of national heritage, from financial means under the "Culture and Protection of National Heritage" item of the state budget;
2) Voivodeship inspector of monuments, from financial means of the state budget, in the part allotted by the voivode.

(…)


### Are there any changes foreseen in the near future?

On 2 August 2017 the President of the Republic of Poland signed the Act establishing the National Fund for the Preservation of Historical Monuments. The provisions of the act will come into force on 1 January 2018. The National Fund for the Preservation of Historical Monuments will be a purpose-established fund managed by the Ministry of Culture and National Heritage. The funds will be spent on rescuing destroyed or damaged monuments.

### Main actors (as ministries, public agencies, public institutes, inspections, …) responsible for the implementation of the law:

- The minister of culture and national heritage, the voivodeship governor
- The National Institute for Museums and Public Collections
- The National Heritage Board of Poland

### The name of the main actor(s):

- The minister of culture and national heritage
- The General inspector of monuments (within the organisational framework of ministry of culture and cultural heritage)
- The voivodeship governor (voivode)
- The voivodeship inspector of monuments (within the within the organisational framework of voivodeship governor office)
- The resident of the city
- The city inspector of monuments (within the within the organisational framework of president’s of the city office)

### Official name

### The role (legislation, financial support, planning, issuing permits, advice, control)

legislation, financial support, issuing permits, advice, control
**LEGISLATION ON SPATIAL AND URBAN PLANNING RELATED TO THE CULTURAL HERITAGE REUSE**

**NATIONAL LEVEL**

<table>
<thead>
<tr>
<th>Official title of the law</th>
<th>Act on spatial planning and space management of 27 March 2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>When/where was published</td>
<td>Polish Journal of Law No. 2003.80.717 as amended</td>
</tr>
<tr>
<td>Summary of main articles that have influence on cultural heritage reuse</td>
<td>Spatial policy at the national, regional and local level should take into consideration issues concerning protection of cultural heritage and modern cultural heritage (Article 1 clause 1 point 4). The Act provides three levels of spatial planning (commune/voivodship/region/national). Among tasks and obligations of spatial planning actors one should point obligatory participation of the voivodeship inspector of monuments. Local acts studies of the conditions and directions pertaining to spatial management of communes. The voivodeship inspector of monuments gives opinion on the project of studies of the conditions and directions pertaining to spatial management of commune (Article 11). The voivodeship inspector of monuments should agree the the project of studies of the conditions and stipulations pertaining to spatial management of commune (Article 17). Both the project of studies of the conditions and directions pertaining to spatial management of commune and the project of studies of the conditions and stipulations pertaining to spatial management of commune are passed by the commune council. Minister for spatial planning, construction and housing coordinates national spacial conception provisions together with regional spatial development plans in the country.</td>
</tr>
<tr>
<td>Are there any changes foreseen in the near future?</td>
<td>no</td>
</tr>
<tr>
<td>Main actors (as ministries, public agencies, public institutes, ...</td>
<td>The wójt, the mayor, the president of the city,</td>
</tr>
</tbody>
</table>
inspections, ...) responsible for the implementation of the law:

- the city council, the community council,
- the voivodeship inspector of monuments (within the organisational framework of voivodeship governor office)
- the voivode
- the minister for spatial planning, construction and housing

The name of the main actor(s):

- The wójt, the mayor, the president of the city, city council, community council, the voivodeship inspector of monuments (within the organisational framework of voivodeship governor office)
- the voivode
- The minister for spatial planning, construction and housing

Official name

The role (legislation, financial support, planning, issuing permits, advice, control)

legislation, planning, opinion

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**LEGISLATION ON PUBLIC-PRIVATE PARTNERSHIP RELATED TO THE CULTURAL HERITAGE REUSE**

**NATIONAL LEVEL**

<table>
<thead>
<tr>
<th>Official title of the law</th>
<th>Act on public-private partnership of 19 December 2008</th>
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<tbody>
<tr>
<td>When/where was published</td>
<td>Polish Journal of Laws No. 2009.19.100 as amended</td>
</tr>
<tr>
<td>Summary of main articles that have influence on cultural heritage reuse</td>
<td>The act assumes performing public tasks with involvement of private entity. The public initiative is on the basis of cooperation between actors from both public and private sectors (Articles 4,5). In some cases (construction and motorways) concessions for private partner are needed. This does not apply to task concerning culture. The cooperation is based on the mutual agreement between parties. It also provides the</td>
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15 rules of conducting certain task together and property issues. (Articles 6-11)

Unfortunately the model of public-private partnership is not very common in Poland in the area of culture. However, it is still perceived as a tool of the future initiatives in cultural sector. Many tasks that involve public and private actors financial and organisational engagement are launched without the procedure envisaged in the act on public-private partnership. Among them one could list Museum of the History of Polish Jews POLIN.

Are there any changes foreseen in the near future? -

Main actors (as ministries, public agencies, public institutes, inspections, ...) responsible for the implementation of the law:
The Minister for Urban Development

The name of the main actor(s):
The Minister for Urban Development

Official name

The role (legislation, financial support, planning, issuing permits, advice, control)

legislation, issuing permits, planning, control

LEGISLATION ON CONSTRUCTION (BUILDING) RELATED TO THE CULTURAL HERITAGE REUSE

NATIONAL LEVEL

<table>
<thead>
<tr>
<th>Official title of the law</th>
<th>The construction law of 7 July 1994</th>
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<tbody>
<tr>
<td>When/where was published</td>
<td>Polish Journal of Law No. 1994.89.414 as amended</td>
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</tbody>
</table>
| Summary of main articles that have influence on cultural heritage reuse | Art. 9 summary: The minister permits the departure from technical and construction regulations after positive opinion of voivodship inspector of monuments in relations to buildings entered in the register of monuments and other buildings situated in the area covered by the conservator’s prevention.

Art. 39. 1. Performance of construction works at the building structure entered in the register of monuments or in the area entered in the monuments register, before the decision on the construction permit is issued, a permit issued by voivodship inspector of monuments is required. |
2. A permit for a demolition of a building entered in the monuments register may be issued by competent actor in agreement with the voivodship inspector of monuments.
3. With respect to monuments and areas not enlisted in the register but are enlisted in the commune monument records, the construction or demolition permit is issued by the General Inspector of Monuments acting on behalf of the Minister of Culture and National Heritage on the deletion of the monument from the register of monuments.
4. The voivodship inspector of monuments is obliged to take a position with respect to the application on the construction or demolition permit from the item 3, within 30 days of the applications delivery. It shall be deemed that there are no objections to the proposed solutions if no position is taken within above mentioned deadline.

71. (…)
5. The competent authority shall lodge the objection if the intended alteration of manner of use of building structure or a part thereof: (…)
3) may cause inadmissible:
   a) danger to human or property safety
   b) deterioration of the natural environment or historical monuments state, (…)


<table>
<thead>
<tr>
<th>Are there any changes foreseen in the near future?</th>
<th>Not referring to immovable cultural heritage</th>
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</thead>
</table>
| Main actors (as ministries, public agencies, public institutes, inspections, …) responsible for the implementation of the law: | The starost  
The poviat inspector of constructions’ supervision  
voivodeship governor (voivode)  
The voivodship inspector of constructions’ supervision  
The General Inspector of Construction Control  
The minister of culture and cultural heritage  
The General Inspector of Monuments (within the organisational framework of ministry of culture and cultural heritage)  
The voivodeship inspector of monuments (within the within the organisational framework of voivodeship governor office) |
| The name of the main actor(s): | The starost;  
The poviat inspector of constructions’ supervision  
voivodeship governor (voivode)  
The voivodship inspector of constructions’ supervision |
The General Inspector of Construction Control
The minister of culture and cultural heritage
The General Inspector of Monuments (within the organisational framework of ministry of culture and cultural heritage)
The voivodeship inspector of monuments (within the within the organisational framework of the voivodeship governor office)

<table>
<thead>
<tr>
<th>Official name</th>
<th>planning, issuing permits, advice, control</th>
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<tbody>
<tr>
<td>The role (legislation, financial support, planning, issuing permits, advice, control)</td>
<td>planning, issuing permits, advice, control</td>
</tr>
</tbody>
</table>

### OTHER LEGISLATION RELATED TO THE CULTURAL HERITAGE REUSE

#### NATIONAL LEVEL

<table>
<thead>
<tr>
<th>Official title of the law</th>
<th>Act on Organizing and Running Cultural Activity of October 25 1991</th>
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<tbody>
<tr>
<td>When/where was published</td>
<td>Polish Journal of Law No. 1991.114.493 as amended</td>
</tr>
<tr>
<td>Summary of main articles that have influence on cultural heritage reuse</td>
<td>Art. 3. 1. Cultural activity can be pursued by corporate bodies, physical persons and organizational units lacking legal status. (...) Art. 5. 1. Subjects conducting cultural activity as defined in art. 3 may receive subsidies for the implementation of state tasks. 2. Non-governmental organizations conducting cultural activity may receive state subsidies from that part of the national budget which remains at the disposal of the minister responsible for culture and the protection of national heritage, for the purpose of tasks under state patronage, including investment expenditure. Art. 7b.</td>
</tr>
</tbody>
</table>
1. The minister responsible for culture and protection of national heritage, other ministers and heads of central offices, as well as local government bodies may award scholarships to artists, persons popularizing culture and protecting historical monuments in relation to cultural institutions and centres subordinate to them.
2. The scholarship mentioned in par. 1 means awarding financial resources to persons implementing particular ventures in the field of artistic creation, care for historical monuments or popularization of culture.
3. The minister responsible for culture and protection of national heritage shall define, by way of regulation, and local government bodies by way of resolution, the detailed rules and procedure governing the awarding of scholarships mentioned in par. 1, and their amount.


| Are there any changes foreseen in the near future? | Not referring to creative industries and cultural activity to be taken in reused historic buildings |
| Main actors (as ministries, public agencies, public institutes, inspections, ...) responsible for the implementation of the law: | The minister of culture and cultural heritage local government bodies |
| The name of the main actor(s): | The minister of culture and national heritage local government bodies |
| Official name | |
| The role (legislation, financial support, planning, issuing permits, advice, control) | legislation, financial support |
RESEARCHES ON POLICIES AT LOCAL LEVEL

Policy No _1_:  

<table>
<thead>
<tr>
<th>Policy:</th>
<th>The policy concerning cultural heritage protection</th>
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<tbody>
<tr>
<td>Name the policy:</td>
<td>The protection and guardianship of monuments</td>
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| Short description of the policy: | The APGM features a closed catalogue of heritage protection forms. The State is obliged to protect and safeguard cultural heritage under the Polish Constitution. The State is co-responsible with citizens for financing cultural resources. The financial subsidies are available at three levels: central, regional and local. The policy provides the cooperation of the State and actors from private sector (citizens and NGO’s). The State is co-responsible with citizens for financing cultural resources. |

**NATIONAL LEVEL**

| Responsible organisation(s): | The General Inspector of Monuments  
The voivodeship inspector of monuments  
The National Institute for Museums and Public Collections  
The National Heritage Board of Poland  
local government units |

| Main strategic documents[^10]: |  

- **Official title** | The national programme for the protection of historical monuments and the care of historical monuments |
- **When/where was published** | Resolution No. 125/2014 of the Council of Ministers of 24 June 2014 on the “National Programme for the Protection of Historical Monuments and the Care of Historical Monuments”, RM-111-111-14 |
- **Summary** | The programme is valid for the years 2014-2017. It is adopted by the Council of Ministers, as required by the obligation defined in the APGM. The main goal of the … |

[^10]: Strategies, Guidelines, national programmes, ...
programme is the "Strengthening of the role of cultural heritage and the preservation of historical monuments with a view to developing the cultural and creative potential of Poles". The specific objectives:
Specific objective 1: Support in developing systemic solutions for the protection of historical monuments in Poland
Specific objective 2: Strengthening the synergy between the institutions of historical monuments protection
Specific objective 3: Creating conditions for active participation in culture, education related to cultural heritage and its promotion and reinterpretation

- **Activities and funds proposed**
  The implementation of the National Programme will be carried out within the framework of the funds from the state budget (part 24: Culture and protection of the national heritage).

- **External assessment of the document, if existing**
  -

**Main actors:**

- **Official name**
  The General Inspector of Monuments
  The voivodeship inspector of monuments
  The National Institute for Museums and Public Collections
  The National Heritage Board of Poland
  local government units

- **Their role (legislation, financial support, planning, issuing permits, advice, control)**
  legislation, financial support, planning, licensing, advice, control

**Financing of the policy:**

- **National budgetary funds, tax relief**
  National funding:
  26,037,205.00 zł
  Participants' contribution

- **Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot**
  Funds from the programmes coordinated by the National Institute for Museums and the Public Collections
  The National Heritage Board of Poland

  - **Official title**
    Annually, upon request

  - **Period**
    Preserving the material cultural heritage (conservation and revitalization of immovable and movable monuments and making them available for the public)
| Main priorities | Tasks related to safeguarding, preserving and perpetuating the monument's substance; within the framework of the co-financing programme funds will not be provided for the adaptation, restructuring or significant reconstruction of historical monuments. |
| Eligible area | Country |
| Funds available | The minimum sum of co-financing: 25,000 PLN. In 2017, the highest sum of subsidy amounted to 1,200,000 PLN; on average: 300,000 PLN. |
| Instruments available (grants, financial instruments as loans, guarantees) | Co-financing
- up to 50% of the amount of expenses needed to complete the project
- in the case of monuments of exceptional historical, artistic or scientific value, or requiring complex technological expertise and intervention, the sum of co-financing may cover up to 100% of the expenses
- if the technical condition of the monument requires immediate intervention, the amount of co-financing may also be granted to cover up to 100% of the expenses needed to complete the project. |
| External assessment (evaluation) of the programme, if existing | - |

**REGIONAL LEVEL**

| Responsible organisation(s) | The regional board |
| Main strategic documents\(^{11}\): | Currently the programme is non-existent. It was previously valid in the form of the "Provincial Programme of Preservation of Historical Monuments for the years 2012-2015", published as an annex to the resolution of the Regional Council of the Mazowieckie Voivodeship by resolution No. 42/12 of 12 March 2012. |

\(^{11}\) Strategies, Guidelines, national programmes, ...
<table>
<thead>
<tr>
<th><strong>Main actors:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Official name</strong></td>
</tr>
<tr>
<td><strong>Their role (legislation, financial support, planning, issuing permits, advice, control)</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Financing of the policy:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>National budgetary funds, tax relief</strong></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Official title</strong></td>
</tr>
<tr>
<td><strong>Period</strong></td>
</tr>
<tr>
<td><strong>Main objectives</strong></td>
</tr>
</tbody>
</table>

| **Main priorities** | Protection of cultural heritage |
| **Eligible area** | The Masovia Region |
| **Funds available** | According to the budget of the Region |
| **Instruments available (grants, financial instruments as loans, guarantees)** | Grants |
| **External assessment (evaluation) of the programme, if existing** | - |

<table>
<thead>
<tr>
<th><strong>LOCAL LEVEL</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Responsible organisation(s):</strong></td>
</tr>
</tbody>
</table>

**Main strategic documents**

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12 Strategies, Guidelines, national programmes, ...
### Official title


### When/where was published

- 

### Summary

- 

### Activities and funds proposed

Co-financing of works on immovable monuments, grant program

### External assessment of the document, if existing

--

### Main actors:

#### Official name

The President of the city, the City Council, the municipal inspector of monuments, the Department of Culture in the Municipal Office organizational structure

#### Their role (legislation, financial support, planning, issuing permits, advice, control)

legislation, financial support, planning, issuing permits, advice, control

### Financing of the policy:

#### National budgetary funds, tax relief

Municipal budgetary funds

#### Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot

- Official title

Grants for conservation, restoration or construction-related work in the objects listed in the register of monuments

- Period

Awarded annually, upon request

- Main objectives

Support pertaining to the maintenance, restoration or construction works with regard to the objects listed in the register of historical monuments. The principles of awarding and accounting for the grants for maintenance, restoration or construction work with regard to the objects listed in the register of historical monuments were specified in the resolution of the Council of the Capital City of Warsaw of 26 June 2008 on the definition of the rules for the provision of grants for restoration works, charge or works at the monuments inscribed in the register of monuments, in the area of the Capital City of Warsaw
Policy No _2_:  

**Policy:** Regional development policy  

**Name the policy:**  

**Short description of the policy:** Development policy provisions are contained in the Act of 6 December 2006. on the principles of carrying out development policy. On the basis of that law, the Regional Development Strategy (Journal of Laws of 2017, item 1376, 1475) is developed. It identifies specific tasks that are intended to achieve the objectives set. The policy takes into account the specificity of each region. In this respect, the territorial contract plays an important role, i.e. an agreement defining the objectives and priority projects of great importance for the development of the country and the particular voivodeship concerned.

| o Main priorities | Protection of cultural heritage  
<p>|                   | The mechanism of grants depends on the provisions of APGM  |
| o Eligible area   | The City of Warsaw  |
| o Funds available | Defined annually by way of a resolution of the City Council  |
| o Instruments available (grants, financial instruments as loans, guarantees) | Grants: It is possible to receive grants from the budget of the Capital City of Warsaw targeted to fund maintenance, restoration or construction work at the individual monuments listed in the register of monuments situated in the area of the Capital City of Warsaw. The grant may cover up to 100% of the expenses necessary to ensure maintenance, restoration or construction works at the monument referred to in § 1 paragraph 1.  |
| o External assessment (evaluation) of the programme, if existing | - |</p>
<table>
<thead>
<tr>
<th><strong>Responsible organisation(s):</strong></th>
<th>The Minister for Urban Development Council of Ministers</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Main strategic documents</strong></td>
<td></td>
</tr>
<tr>
<td>- <strong>Official title</strong></td>
<td>National Strategy for Regional Development 2010-202: Regions, Cities, Rural Areas document adopted by the Council of Ministers on 13 July 2010</td>
</tr>
<tr>
<td>- <strong>When/where was published</strong></td>
<td>Polish Journal of Laws, No. 216, item 1370.</td>
</tr>
<tr>
<td>- <strong>Summary</strong></td>
<td>The strategy specifies the objectives and mode of operation of public entities (the Government and the local provincial governments), The document sets the objectives of regional development policy, including those with regard to rural and urban areas. The following objectives were set to be achieved by the year 2020: 1. To assist the growth of competitiveness between the regions, 2. Territorial cohesion-building and combating marginalisation processes in problem areas, 3. To create conditions for an effective, efficient and partnership-based implementation of the development activities targeted geographically. For this reason, it is indeed vital for the project itself as well as for its underlying principles that the role of culture and new technologies in economic development should be regarded as particularly important: “Seeing culture as a factor of development requires acknowledging the particularly important role of the protection of heritage and cultural diversity, the development of cultural infrastructure, cultural education and its accessibility. For this reason, securing the presence of new technologies in the sphere of culture is indeed crucial, as is the evident strong connection between this sphere and the dynamic development of Poland”; p. 62.</td>
</tr>
<tr>
<td>- <strong>Activities and funds proposed</strong></td>
<td>-</td>
</tr>
<tr>
<td>- <strong>External assessment of the document, if existing</strong></td>
<td>-</td>
</tr>
</tbody>
</table>

13 Strategies, Guidelines, national programmes, ...
### Main actors:

| **Official name** | The council of ministers  
The Minister for Urban Development  
Local government units  
Voiwodeship governor |
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td><strong>Their role (legislation, financial support, planning, issuing permits, advice, control)</strong></td>
<td>legislation, financial support, planning, issuing permits, advice, control</td>
</tr>
</tbody>
</table>

### Financing of the policy:

| **National budgetary funds, tax relief** | 1. National budgetary funds  
2. Sources coming from the allocations to Poland within the EU financial perspective 2014-2020 |
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td><strong>Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot</strong></td>
<td></td>
</tr>
</tbody>
</table>
  
  **Official title** | The Operational Programme Infrastructure and Environment  
  **Period** | 2014-2020  
  **Main objectives** | Supporting the low-carbon economy, environmental protection, mitigating and adapting to climate changes, transport and energy security, investments in health and cultural heritage protection.  
  **Main priorities** | Investment priority  
  6.C. To preserve, protect, promote and develop natural and cultural heritage  
  The projects may relate to cultural and creative projects to be carried out by small and medium-sized enterprises as well as to promoting innovative solutions for the preservation of cultural heritage. Support will be also addressed to "revive" urban spaces through various forms of their development, including renovating and often adapting the monuments to serve new functions (Operational Programme Infrastructure and Environment).  
  **Eligible area** | country |
<table>
<thead>
<tr>
<th><strong>Funds available</strong></th>
<th>-</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Instruments available (grants, financial instruments as loans, guarantees)</strong></td>
<td>Co-financing and support for small-scale infrastructural projects, maximum value: 5 million EUR of the total cost; in case of objects of cultural heritage listed in the UNESCO Register: 10 million EUR.</td>
</tr>
<tr>
<td><strong>External assessment (evaluation) of the programme, if existing</strong></td>
<td>1. National budgetary funds 2. Sources coming from the allocations to Poland within the EU financial perspective 2014-2020</td>
</tr>
</tbody>
</table>

**REGIONAL LEVEL**

**Responsible organisation(s):**

The regional board

**Main strategic documents**: 14

- **Official title**
  The Strategy of Development of the Mazowieckie Voivodeship to 2030

- **When/where was published**
  Resolution No. 158/13 of the Mazowieckie Voivodeship Sejmik of 28 October 2013

- **Summary**
  The document defined the purpose of the framework programme for culture and heritage: harnessing the potential of culture and cultural heritage, as well as the features of the natural environment for the economic development of the region and increasing the quality of life.
  The challenges will include increasing the figures with regard to several factors: the attractiveness of the Mazowieckie Voivodeship for tourists, the contribution of the creative sectors to the GDP, the availability of institutions engaged in cultural activities, the condition of the historic buildings in the voivodeship.
  It has been indicated that in order to achieve this goal the following actions will need to be implemented:
  - improving the attractiveness of the region for tourists by drawing attention to the natural environment and cultural heritage of the region;
  - dissemination of culture and creative activities;
  - promoting the cities as centres of cultural activity;
  - supporting the development of creative industries;
  - the use of cultural heritage in business.

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14 Strategies, Guidelines, national programmes, ...
All the activities (except for promoting the cities as centres of cultural activity) are to be carried out in both rural and urban areas.

- **Activities and funds proposed**: -
- **External assessment of the document, if existing**: -

**Main actors:**

- **Official name**: Regional board
  - Local government units and specialized departments
- **Their role (legislation, financial support, planning, issuing permits, advice, control)**: legislation, financial support, planning, issuing permits, advice, control

**Financing of the policy:**

- **National budgetary funds, tax relief**
- **Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot**
  - **Official title**: Regional Operational Programme of Mazowieckie Voivodeship 2014-2020
  - **Period**: 2014-2020
  - **Main objectives**
    - 6 Thematic goal: Natural heritage preservation and protection and promoting effective resources management
    - 6c Maintaining, protection, promoting and development of natural and cultural heritance
  - **Main priorities**
    - 1. Enhancing growth of regional touristic potential through cultural heritage protection (Provincial Programme of Preservation of Historical Monuments for the years 2012-2015, The Strategy of Development of the Mazowieckie Voivodeship to 2030);
    - 2. Increase access to cultural resources through the development and effective management (The Strategy of Development of the Mazowieckie Voivodeship to 2030, Provincial Programme of Preservation of Historical Monuments for the years 2012-2015)
    - The documents provides information concerning giving new functions to cultural heritage buildings which aligns with the Forget Heritage Project principles.
“Support will be provided to actions concerning adaptation and modernisation of objects, which means a compromise between heritage and innovative idea of its use. Intervention will be directed to actions aiming at rescuing, restoring value and protecting specific historical monuments or their complexes together with the landscape context surrounding. Support will be provided to restoring and modernizing works enabling to maintain hitherto functions of historical monuments, and also leading to give them new utility functions (with the purpose of cultural and educational objectives in particular), including also in cooperation with commercial activity. Actions seen as an element of wider touristic offer in the region, directed to creative action space development and varied social activities will be the priority” p. 42.

“Support will be provided to investments concerning infrastructure of cultural activity, maintaining heritage and enhancing availability to its resources. Under the intervention modernization and restoring works of maintaining culture institution in a case when the works are the part of adjusting building to new cultural functions will be possible.” p. 42

<table>
<thead>
<tr>
<th>Eligible area</th>
<th>Mazowieckie Voivodeship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funds available</td>
<td>Co-financing maximum value: 5 million EUR of the total cost</td>
</tr>
<tr>
<td>Instruments available (grants, financial instruments as loans, guarantees)</td>
<td>Nonrefundable Projects will be chosen after evaluation due to project’s contest procedure</td>
</tr>
<tr>
<td>External assessment (evaluation) of the programme, if existing</td>
<td>-</td>
</tr>
</tbody>
</table>

**LOCAL LEVEL**

**Responsible organisation(s):**

**Main strategic documents\(^{15}\):**

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\(^{15}\) Strategies, Guidelines, national programmes, ...
<table>
<thead>
<tr>
<th><strong>Official title</strong></th>
<th>The City of Warsaw: The strategy of development of the Capital City of Warsaw to the year 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>When/where was published</strong></td>
<td>Annex to resolution No. XLVII/1789/2005 of the Warsaw City Council of 24 November 2005.</td>
</tr>
<tr>
<td><strong>Summary</strong></td>
<td>The strategy of the development of the city is planned up to the year 2020. It includes a variety of thematic areas. In the field of culture and heritage the main objective is to strengthen and develop the cultural capital of the city. STRATEGIC OBJECTIVE 2. Strengthening the sense of identity of the inhabitants through preserving traditions, the development of culture and promoting social activity. Operational objective 2.1. The strengthening of the tradition of the Capital City of Warsaw on the basis of its cultural and natural heritage. Co-funding of work on the immovable monuments, grant programme (cf. the resolution above) Co-financing of works on immovable monuments, grant program (above mentioned city council resolution)</td>
</tr>
<tr>
<td><strong>Activities and funds proposed</strong></td>
<td>Co-financing of works on immovable monuments, grant program (above mentioned city council resolution)</td>
</tr>
<tr>
<td><strong>Responsible organisation(s):</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Main actors:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Official name</strong></td>
<td>The President of the city, the city council, the culture department, the city inspector of monuments</td>
</tr>
<tr>
<td><strong>Their role (legislation, financial support, planning, issuing permits, advice, control)</strong></td>
<td>legislation, financial support, planning, issuing permits, advice, control</td>
</tr>
<tr>
<td><strong>Financing of the policy:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>National budgetary funds, tax relief</strong></td>
<td>Municipal budgetary funds</td>
</tr>
<tr>
<td><strong>Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot</strong></td>
<td>Programme 2.1.2.</td>
</tr>
<tr>
<td><strong>Main priorities</strong></td>
<td>Revitalization of selected degraded parts of city districts, including those of historical significance by 2020</td>
</tr>
<tr>
<td>---------------------</td>
<td>----------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Programme 2.1.1.</strong></td>
<td>Revitalisation of the Royal Route.</td>
</tr>
<tr>
<td><strong>Programme 2.1.2.</strong></td>
<td>Revitalization of selected parts of degraded parts of city districts, including those of historical significance</td>
</tr>
<tr>
<td><strong>Programme 2.1.3.</strong></td>
<td>Revitalisation of historical city parks</td>
</tr>
<tr>
<td><strong>Programme 2.1.4.</strong></td>
<td>Creating cultural parks</td>
</tr>
</tbody>
</table>

With regard to the pilot project, the part concerning the revitalization of selected districts (such as Praga) is particularly important. "We will support and inspire artistic activities: street art festivals, film festivals, concerts. We will revamp the existing objects of culture and adapt the historic old industrial spaces to suit the artists' needs". s. 36

Programme 2.4.2. Creating the conditions for the transfer of certain tasks carried out by the city to local communities and non-governmental organisations

<table>
<thead>
<tr>
<th><strong>Eligible area</strong></th>
<th>City of Warsaw</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Funds available</strong></td>
<td>According the annual city budgetary funds</td>
</tr>
<tr>
<td><strong>Instruments available (grants, financial instruments as loans, guarantees)</strong></td>
<td>Grants for conservation, restoration or construction-related work in the objects listed in the register of monuments (city council resolution)</td>
</tr>
<tr>
<td><strong>External assessment (evaluation) of the programme, if existing</strong></td>
<td>-</td>
</tr>
</tbody>
</table>
Policy No 3:

<table>
<thead>
<tr>
<th>POLICY:</th>
<th>Policy on cultural development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name the policy:</td>
<td>Policy on cultural development</td>
</tr>
<tr>
<td>Short description of the policy:</td>
<td></td>
</tr>
</tbody>
</table>

**NATIONAL LEVEL**

| Responsible organisation(s): | The General Inspector of Monuments  
The voivodeship inspector of monuments  
The National Institute for Museums and Public Collections  
The National Heritage Board of Poland  
local government units |

**Main strategic documents**

- **Official title**
  - Supplement to the National Strategy for the Development of Culture for the years 2004-2020

- **When/where was published**
  - Adopted by the Government of the Republic of Poland on 21 September 2004; the extension of the "National Strategy for the Development of Culture for the years 2004-2020" was adopted in 2005.

- **Summary**
  - The strategy covers the period from 2004 to 2020; it was supplemented in 2005, since it originally referred only to the period 2004-2013. Culture is seen in relation to economic development and as a catalyst for economic growth.

  **Strategic objective:** to balance the development of culture in the regions

  **Partial goals:**
  1. Increased effectiveness of cultural management.
  2. Reduction of regional disparities in the development of and access to culture.
  3. Increase in the contribution of culture to the GDP.
  4. The preservation of heritage and cultural monuments.
  5. Modernization and development of cultural infrastructure.
  6. Increase of participation in culture.

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16 Strategies, Guidelines, national programmes, ...
7. Development of artistic schools and increasing the number of lessons in cultural education in school curricula.
8. Effective promotion of creativity
9. Promotion of Polish culture abroad.
10. Protection of intellectual property and fighting against piracy.
11. Introduction of innovative solutions in the system of organization of cultural activities and in the system of dissemination of culture.
12. Creative industries development (cinema, media, design, publishing, music)

- Activities and funds proposed
- External assessment of the document, if existing

Main actors:
- Official name
  - The Minister of Culture and National Heritage
  - The General Inspector of Monuments
- Their role (legislation, financial support, planning, issuing permits, advice, control)
  - legislation, financial support, planning, issuing permits, advice, control

Financing of the policy:
- National budgetary funds, tax relief
  - National budgetary funds
  - Beneficiaries’ own contribution to the project
- Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot
  - National budget:
    - Ministry of Culture and National Heritage programmes

  - Official title
    - The Operational Programme Cultural Heritage
  - Period
    - Announced by the ministry of culture and national heritage
  - Main objectives
    - Preservation of cultural heritage
  - Main priorities
    - 1. Preservation of cultural heritage
    - 2. Collecting cultural property
  - Eligible area
    - country
  - Funds available
    - Funds from the Ministry of Culture and National Heritage budget
  - Instruments available (grants, financial instruments as loans, guarantees)
    - grants
<table>
<thead>
<tr>
<th><strong>External assessment (evaluation) of the programme, if existing</strong></th>
<th>-</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Responsible organisation(s):</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Main strategic documents</strong>(^{17}):</td>
<td></td>
</tr>
<tr>
<td>- <strong>Official title</strong></td>
<td>Development of Creative Industries</td>
</tr>
<tr>
<td>- <strong>When/where was published</strong></td>
<td></td>
</tr>
<tr>
<td>- <strong>Summary</strong></td>
<td>Development of Polish cultural and creative sectors managed by the Ministry and the strengthening of their competitiveness, stimulating various initiatives a) educational activities b) building platforms and networks of co-operation c) research d) product development</td>
</tr>
<tr>
<td>- <strong>Activities and funds proposed</strong></td>
<td>According to the annual Ministry of Culture and National Heritage budget</td>
</tr>
<tr>
<td>- <strong>External assessment of the document, if existing</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Main actors:</strong></td>
<td>-</td>
</tr>
<tr>
<td><strong>REGIONAL LEVEL</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Responsible organisation(s):</strong></td>
<td>The regional board</td>
</tr>
<tr>
<td><strong>Main strategic documents</strong>(^{18}):</td>
<td></td>
</tr>
<tr>
<td>- <strong>Official title</strong></td>
<td>Strategy for Cultural Development in the Mazowieckie Voivodship 2015-2020</td>
</tr>
<tr>
<td>- <strong>When/where was published</strong></td>
<td>Resolution No. 84/15 of the Mazowieckie Voivodship Sejmik of 8 September 2015 concerning the adoption of the document entitled &quot;The Strategy of Cultural Development in the Mazowieckie Voivodship for 2015-2020&quot;.</td>
</tr>
<tr>
<td>- <strong>Summary</strong></td>
<td>The strategy is a strategic plan of the government of the Mazowieckie Voivodship, which presents planned actions in the field of culture. Within the strategy, mechanisms are to be developed of supporting cultural activities and social participation</td>
</tr>
</tbody>
</table>

\(^{17}\) Strategies, Guidelines, national programmes, ...

\(^{18}\) Strategies, Guidelines, national programmes, ...
in culture. In the perspective of the pilot project, the most important strategic fields are C and D.

Strategic field C: Heritage - identity - community
Objective The living heritage.
Objective Our identities.
Objective C.3 The modern community.

Strategic field D: Creativity - a motor of development
Objective D.2. Culture - science - creativity.
Objective D.3. Mazowsze educates in a creative way.
Objective D.4. The appreciated creativity.
Objective D.5. Culture promotes the region

<table>
<thead>
<tr>
<th>Activities and funds proposed</th>
<th>The principles of granting and accounting for the subsidies for restoration, renovation or construction works involving historical monuments are set in the resolution of the Sejmik (resolution No. 54/11 of 18 April 2011) (not binding now). In other areas: grant competitions with the applicant’s own contribution</th>
</tr>
</thead>
</table>

| External assessment of the document, if existing | - |

**Main actors:**

<table>
<thead>
<tr>
<th>Official name</th>
<th>the regional board, the voivodship inspector of monuments, local government units</th>
</tr>
</thead>
</table>

| Their role (legislation, financial support, planning, issuing permits, advice, control) | legislation, financial support, planning, issuing permits, advice, control |

**LOCAL LEVEL**

**Responsible organisation(s):**

| City of Warsaw |

**Main strategic documents**

<table>
<thead>
<tr>
<th>Official title</th>
<th>The City of Culture and Its Citizens. Culture Development Program in Warsaw until 2020. The fundamental principles</th>
</tr>
</thead>
</table>

| When/where was published | Resolution No. XXXIV/839/2012 of the City Council of Warsaw of 29.03.2012 |

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19 Strategies, Guidelines, national programmes, ...
### Summary

The Priorities of the Programme are:

- The development of unrestrained creativity and the broadening of the cultural offer accompanied by the development of cultural infrastructure (including existing or new cultural places);
- Increasing the participation in culture of the inhabitants of Warsaw, including all of its districts, which involves the development of cultural education and the promotion of social activity and the use of new technologies;
- creating the image of Warsaw as a European cultural city that shapes its contemporary identity and appreciates its own cultural roots.

The main purpose of the Programme is the development of culture in its various manifestations.

### Activities and funds proposed

**Responsible organisation(s):**

- 

**Main actors:**

- **Official name**
  - The President of the City, the city council, the municipal inspector of historical monuments, the department of culture
  - The Social Council of Culture,
  - The Bureau of Culture,
  - The Permanent Representative of the President for the implementation of the Programme
  - The Steering Committee

- **Their role (legislation, financial support, planning, issuing permits, advice, control)**
  - legislation, financial support, planning, issuing permits, advice, control

### Financing of the policy:

- **National budgetary funds, tax relief**
  - Local budgetary funds

- **Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot**
  - Official title
  - Period: Annually, upon request
  - Main objectives
  - Main priorities
Policy No _4_: 

<table>
<thead>
<tr>
<th>POLICY:</th>
<th>Tourism policy Support to tourism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name the policy:</td>
<td></td>
</tr>
<tr>
<td>Short description of the policy:</td>
<td>The programme aims to reduce the fragmentation of the tourism market by promoting an integrated approach to supporting the tourism economy. The program assumes focus on products and services, both, enhancement of innovativeness and creativity of the tourism sector and stronger involvement of new actors (representatives of the tourism industry, local government units, and tourist sector associations and organisation). Cultural policy has a great meaning in the program. Financial subsidies will be provided for renovation and modernisation of cultural buildings.</td>
</tr>
</tbody>
</table>

NATIONAL LEVEL

| Responsible organisation(s): | The Minister of Sport and Tourism  
The National Tourism Management Centre (NTMC)  
The Tourism Observatory  
Local government units  
Tourism sector organisations |
<table>
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<td>Main strategic documents²⁰:</td>
<td>Program prepared by the Council of Ministers</td>
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<tr>
<td>• Official title</td>
<td>The Tourism Development Program until 2020</td>
</tr>
<tr>
<td>• When/where was published</td>
<td>Resolution no. 143/2015</td>
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</table>

²⁰ Strategies, Guidelines, national programmes, ...
Of the Council of Ministers of 18 August 2015 on the adoption of the Tourism Development Program until 2020 RM-111-138-15

- **Summary**
  
  The main objective of the programme is: to promote the development of competitive and innovative tourism through supporting the tourism sector enterprises, organisations, institutions and initiatives, while respecting the principles of sustainable development. Four operational objectives should be mentioned:

  Operational objective 1: To develop innovativeness, attractiveness and quality of tourist services and products, as an economic competitiveness factor;

  Operational objective 2: To strengthen social activity and entrepreneurship in the tourism sector and to increase the competence of human resources;

  Operational objective 3: To promote priority tourism products of the country and the regions, as well as their economic specialisations based on tourism;

  Operational objective 4: To develop and modernize space for the development of tourism and tourist infrastructure while complying with the principles of sustainable development and environmental protection regulations.

- **Activities and funds proposed**
  
  Subsidies

- **External assessment of the document, if existing**
  
  -

**Main actors:**

- **Official name**
  
  The Minister of Sport and Tourism
  The National Tourism Management Centre (NTMC)
  The Tourism Observatory
  Local government units
  Tourism sector organisations

- **Their role (legislation, financial support, planning, issuing permits, advice, control)**
  
  Legislation, financial support, planning, issuing permits, advice, control

**Financing of the policy:**
| • National budgetary funds, tax relief | 1. National budgetary funds  
2. Sources coming from the allocations to Poland within the EU financial perspective 2014-2020 |
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<tr>
<td>• Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot</td>
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<td></td>
<td>The Operational Programme Infrastructure and Environment</td>
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<td></td>
<td>Official title</td>
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<td></td>
<td>Period</td>
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<td></td>
<td>Main objectives</td>
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<td></td>
<td>Supporting the low-carbon economy, environmental protection, mitigating and adapting to climate changes, transport and energy security, investments in health and cultural heritage protection.</td>
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<td>Main priorities</td>
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</table>
| | Investment priority  
6.C. To preserve, protect, promote and develop natural and cultural heritage  
The projects may relate to cultural and creative projects to be carried out by small and medium-sized enterprises as well as to promoting innovative solutions for the preservation of cultural heritage. Support will be also addressed to "revive" urban spaces through various forms of their development, including renovating and often adapting the monuments to serve new functions (Operational Programme Infrastructure and Environment). |
|   | Eligible area |
| | Country |
|   | Funds available |
| | Funds from the allocations to Poland within the EU financial perspective 2014-2020 |
|   | Instruments available (grants, financial instruments as loans, guarantees) |
| | Co-financing and support for small-scale infrastructural projects, maximum value: 5 million EUR of the total cost; in case of objects of cultural heritage listed in the UNESCO Register: 10 million EUR. |
|   | External assessment (evaluation) of the programme, if existing | - |
**Current development national programme(s) that are directly and indirectly linked to the tangible cultural protection/reuse having in mind characteristics of your pilot**

- Official title: The Regional Operational Programme Infrastructure and Environment of the
- Period: 2014-2020
- Main objectives: Thematic goal 6.6c
  To preserve, protect, promote and develop natural and cultural heritage
- Main priorities: Making the Region environment-friendly
  Investment Priority 6c
  To preserve, protect, promote and develop natural and cultural heritage
- Eligible area: The Region
- Funds available: Project implementation depends on the fulfilment of the criteria for the selection of projects and the availability of the EU allocation
- Instruments available (grants, financial instruments as loans, guarantees): the so-called "small-scale" projects (not exceeding the total cost of 5 million EUR) in most cases, the co-financing mechanism will require own contributions.
- External assessment (evaluation) of the programme, if existing: -

**REGIONAL LEVEL**

**Responsible organisation(s):** Mazowieckie Voivodeship

**Main strategic documents**[^21]:

- When/where was published: Resolution No. 81/15 of the Mazowieckie Voivodship Sejmik of 8 September 2015 concerning the adoption of the document

[^21]: Strategies, Guidelines, national programmes, ...

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entitled "Strategy for tourism development in the Mazowieckie Voivodeship for 2014-2020".

<table>
<thead>
<tr>
<th>Summary</th>
<th>Strategy provides the description of tourism in the Mazowieckie Voivodeship. A new image of Mazovia Region concerning its touristic values together with a new promotion communication policy are to be created. The strategy is connected with the The Strategy of Development of the Mazowieckie Voivodeship to 2030. The tourism influences creativity and entrepreneurship. In the strategy cultural and natural areas were mentioned as ones that have touristic potential.</th>
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<tbody>
<tr>
<td>Activities and funds proposed</td>
<td>Activities set by the marshall office and the Regional Development Fund</td>
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<tr>
<td>External assessment of the document, if existing</td>
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**Main actors:**

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<th>Local government units, Tourist sector organisations</th>
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<td>Their role (legislation, financial support, planning, issuing permits, advice, control)</td>
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**Financing of the policy:**

| National budgetary funds, tax relief | Regional budgetary funds City of Warsaw budgetary funds Regional Operational Programme of Mazowieckie voivodeship |
RECOMMENDATIONS/GUIDELINES

Recommendations

The model of ownership of a immovable monument entered in the Register of Monuments as described in the APGM is the ideal model. In practice the execution of the ownership right is difficult to supervise and it may even be claimed that the protection of ownership provided for in the Act is rather illusory. When society grows more aware of the need for such protection and this consciousness spreads to all levels, regional, national and international real protection of monuments may be definitely easier to achieve.

The scope of the individual recommendations may at times overlap, as some issues are correlated. The recommendations are prepared in three areas.

Areas divided into:
- Management of immovable monuments (legal status of the heritage building, monument’s technical condition and historic value, consultations with experts and representatives of a public cultural heritage protection system);
- Activities in the field of heritage-related education, popularising the knowledge about the monument;
- Cooperation and activity at the local and country-wide levels.

Management of immovable monuments

The legal status of the heritage building

- Determining the legal status of the building in the light of the APGM (i.e. the Heritage Protection Act, according to the table below);
- Determining the legal status of the building and property right issues (are there any reprivatisation or possesory claims, is the building a subject of civil, administrative or inheritance proceedings, are there any limited rights as mortgage established)
The monument’s technical condition and historic value

- Acquiring information about the technical condition of the building, gathering the available documentation (archives: address books, acts of civil status, maps, municipal documents and libraries’ resources – newspapers, published diaries);
- Determining the artistic, historical and scientific value of the building owing to which the object deserves to be preserved for future generations;

Consultations with experts and representatives of the public cultural heritage protection system

- Consultations with the municipal conservator of monuments and the regional (voivodship) conservator of monuments with regard to the possible uses of the monument and to adapting it to serve a new function;
• Consultations with experts, participation in training on management of immovable monuments (with regard to the possibilities of receiving funds for construction, repair, and restoration work);

• Analysis and optimisation of the costs, cooperation with other entities in order to optimise some costs of cultural heritage management;

• ICT – commercial approach to the immovable cultural heritage and its history (a mobile app - historic buildings in the neighbourhood), a new board game prepared together with target groups (children from school, kindergarten) – the possibility of additional financial support for innovations – if the business model is successful the incomes can be used to cover partially the costs of construction, repair, and restoration work;

• Studying the handbooks with good practices for the management of monuments, e.g. K. Zarzycka, »Decrypting heritage – a handbook of good practices in popularising knowledge and education in the field of cultural heritage« (Narodowy Instytut Dziedzictwa [The National Heritage Board of Poland], Warszawa 2017)

download: http://www.nid.pl/pl/Informacje_ogolne/Konkursy/MATERIA%C5%81Y%20EDUKACYJNE/Podrecznik%20dobrych%20praktyk_.pdf

Activities in the field of heritage-related education, popularising the knowledge about the monument

• Promotion of the cultural heritage item in the Internet: culture related platforms, regional touristic websites, google maps service, maps and heritage routes;

• Participation in projects aimed at raising the awareness of cultural heritage protection;

• Activities of local groups focusing on individual cities (or districts) with regard to the cultural life and education about the area of interest, studying such
guides as for example »Heritage of My Environment - inspiration for local action« (The National Heritage Board of Poland, Warszawa 2016)
download:
http://www.nid.pl/pl/Wydawnictwa/inne%20wydawnictwa/Dziedzictwo%20obok%20Mnie%20%E2%80%93%20inspiracje%20do%20dzia%C5%82a%C5%84%20lokalnych1.pdf

- Research and analysis of available international educational projects that are suitable for the particular cultural heritage building;

**Cooperation and activity at the local and country-wide levels**

- Activity in local groups operating within an individual district or city in cooperation with the authorities of the local government unit working in the field of the protection and promotion of cultural heritage;
- Participation in the associations of managers of immovable monuments (local and country-wide levels);
- Participation in the cultural clusters bringing together entrepreneurs and their businesses located in immovable monuments;
- Participation in the cultural clusters bringing together entrepreneurs representing creative industries;