

The Act on the Polish Language

(From October, 7 1999)

Prepared based on the Collection of Laws from 1999, no. 90, item 999; from 2000 no. 29, item 358

The Parliament of the Polish Republic:

taking into consideration that the Polish language is a constituting element of the Polish national identity and national culture,

having considered the Polish historical experience that foreign rulers and occupants repressed the Polish language and endeavoured to denationalise the Polish nation,

having realised that it is inevitable to safeguard national identity in today's global environment,

having understood that the Polish culture helps create a unified and culturally varied Europe and that it can be preserved and developed only if the Polish language is preserved,

having adopted the idea, that the protection of the language is the responsibility of all Polish bodies and public institutions, as well as all Polish citizens,

hereby adopts this law.

CLAUSE 1

GENERAL PROVISIONS

Article 1

This law refers to the protection of the Polish language, its use in public and legal action on the territory of the Polish Republic.

Article 2

This law is not contradictory to:

1/ legal regulations about the relations between the state and churches and other organisations practising religious cults and rituals,

2/ legal regulations about the rights of national minorities and ethnical groups.

Article 3

1. The protection of the Polish language is based on the following principles:

1/ users apply and use the Polish language in its codified standard, make effort to improve their language proficiency, and endeavour to establish conditions for the optimum development of the language as a tool of human communication,

2/ fight against **the vulgarisation of the language**,

3/ spread of knowledge about language and its role in culture,

4/ honour to regional expressions and dialects, and their preservation,

5/ support of the Polish language world-wide,

6/ support of the Polish language teaching in Poland and abroad.

2. All bodies of the Public Administration, and institutions and organisations taking part in the public life shall protect the Polish language.

3. The Minister of Education shall publish decrees and regulations to determine the process of state exams for foreigners who apply for an official statement of Polish language proficiency.

Article 4

The Polish language shall be used as **an official language** at:

1/ Polish Constitutional bodies,

2/ local self-government and related institutions to the extent of their public duties,

3/ local bodies of Public Administration,

4/ public institutions,

5/ bodies, institutions and offices subordinate to bodies stated in paragraphs 1/ and 3/, which are responsible for carrying out and putting into practise tasks and duties assigned by their superior bodies, as well as by state bodies, to the extent of their public duties,

6/ other bodies of self-government and bodies of social, professional, co-operative and other entities to the extent of their public duties.

CLAUSE 2

LEGAL PROTECTION OF THE POLISH LANGUAGE **IN THE PUBLIC LIFE**

Article 5

Entities which execute public duties on the territory of the Polish Republic shall act in the Polish language, should not special regulations require otherwise.

The paragraph 1 above refers also to documents addressed to bodies specified in the Article 4 of this Act..

Article 6

1. All international agreements shall also be concluded in the Polish language and have a Polish version which shall be used as a basis for legal interpretation, if not required otherwise by special regulations.

Article 7

On the territory of the Polish Republic, the Polish language shall be used in all legal action between Polish entities as well as in cases when one of the parties is Polish. Specifically, this paragraph refers to names of goods and services, advertisements, instructions for use, information about properties of goods and services and warranty terms and conditions, invoices, bills and receipts.

A Polish entity, for the purpose of this law, is:

1/ an individual with permanent residence in the Polish Republic,

2/ a legal entity or a branch office without legal status which operates on the territory of the Polish Republic.

It is forbidden to use foreign expressions in legal action in the Polish Republic with the exception of personal names.

Foreign description of goods and services, bids and advertisements used in legal action, as specified in the Article 7, paragraph 1, shall also be accompanied by a Polish version.

Duties, as specified in paragraphs 1, 3, and 4, shall be controlled and reviewed by the Trade Inspectorate and Office for the Protection of Competition and Consumers.

Article 8

If a Polish entity is one of the parties who conclude an agreement which will be executed in the Polish Republic, the agreement shall be concluded in the Polish language.

An agreement concluded and written in the Polish language may be accompanied by its version(s) in a foreign language(s). If not agreed otherwise, the Polish version is used as an overruling version in case of future interpretations.

Should there be concluded an agreement which does not comply with the paragraphs 1 and 3 of this Article, this agreement is in breach with the Civil Code, Clause 74, Article 1, paragraph 1 and Clause 74, Article 2: no agreement written in a foreign language is a valid legal act, as specified in the Clause 74, Article 2 of the Civil Code.

Article 9

The Polish language shall be used for education and examination purposes and in theses at all types of public and private schools, at state and private universities and other educational institutions, if not required otherwise by special regulations.

Article 10

Notices and information in offices, public institutions and public transportation shall be written in the Polish language.

Names and texts in the Polish language may also be accompanied by their versions translated into foreign languages in cases and to the extent, as specified by a responsible minister.

Article 11

Articles 5–7, 9 and 10 do not refer to:

1/ personal names,

2/ foreign-language newspapers, magazines, books, computer software with the exception of instructions and descriptions,

3/ educational and scientific activities at universities and schools with a foreign educational language or at multi-lingual schools, teachers of foreign languages or other subjects, if specified in special regulations,

4/ scientific and artistic activities,

5/ generally accepted scientific and technical terminology,

6/ brand names, trademarks and other trade and service names.

CLAUSE 3

THE LANGUAGE COUNCIL AND SCOPE OF ITS COMPETENCIES

Article 12

The Language Council (further “the Council” only) shall function as an advisory and decision-making institution and shall detect issues in accordance with the Article 34 of the Act from 25 April 1997 on the Polish Academy of Sciences (Coll. of Laws no. 75, item 469 and no. 141, item 943, as well as from, 1999 no. 49, item 484).

The Council shall submit a Report on the Protection of the Polish Language to the Sejm and Senate at least once in two years, based on the principles specified in the Article 3.

Article 13

1. Initiated by the Minister of Education, Minister of Culture, the Chair of the Polish Academy of Sciences or by itself, the Council may submit a regulation about the use of the Polish language in public and legal action. The Council also adopts any spelling and punctuation guidelines.

2. Scientific and artistic organisations and universities may approach the Council for advice in respect of the language use.

Article 14

Bodies, as specified in the Article 4, may approach the Council for advice in case of serious doubts regarding the language use related to the scope of their activities.

Manufacturers, importers and distributors may approach the Council for advice if they do not have a suitable name for their products or services.

CLAUSE 4

PROSECUTION

Article 15

1. An entity, which, in a legal action, uses names of goods and/or services, bids, advertisements, instructions for use, information about goods and services, warranty terms, invoices, bills and receipts exclusively in a foreign language without Polish version, may be charged a fine.

2. The fine, as specified in the paragraph 1, may not exceed 100,000 zlotys and shall be transferred to the account of the Fund for the Support of Creativity, founded in accordance with the Article 111 of the Act from 4 February 1994 on Authorship Rights and related regulations (Coll. of Laws no. 24, item 83 and no. 43, item 170, as well as from 1997 no. 43, item 272 and no. 88, item 554).

CLAUSE 5

AMENDMENTS AND FINAL PROVISIONS

Article 16

The Press Act from 26 January 1984 (Coll. no. 5, item 24, from 1988 no. 41, item 324, from 1989 no. 34, item 187, from 1990 no. 29, item 173, from 1991 no. 100, item 442, from 1996 no. 114, item 542, and from 1997 no. 88, item 554 and no. 121, item 770) is amended as follows:

1/ in the Article 12, paragraph 1, sentence 2, the period in the end of the sentence is replaced by a comma and the following sentence 3 is added:

“3/ try to use the language correctly and avoid use of vulgarisms.”

2/ in the Article 25, paragraph 4, the following sentence is added:

“At the same time, it is obliged to care for correct use of the language in all press materials and avoid language vulgarisation.”

Article 17

The Act from 29 December 1992 **on Radio and Television** (Coll. from 1993 no. 7, item 34, from 1995 no. 66, item 335 and no. 142, item 701, from 1996, no. 106, item 496, as well as from 1997, no. 88, item 554 and no. 121, item 770) is amended as follows:

1/ void

2/ in the Article 21, paragraph 1, the following sentence is added under 6a: “6a/ spreading the knowledge of the Polish language,”.

Article 18

The Decree on the State Language and the Language Used in Government and self-government Administrative bodies (Coll. no. 57, item 324) is abolished.

Article 19

This law becomes effective 6 months after its publishing.