

# OFFICIAL GAZETTE [DZIENNIK URZĘDOWY]

## OF THE MINISTER OF CULTURE AND NATIONAL HERITAGE

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Warsaw, 5 December 2012

Item 64

### ORDER OF THE MINISTER OF CULTURE AND NATIONAL HERITAGE<sup>1</sup>

of 5 December 2012

#### **concerning the change of the name of “Zachęta” – Narodowa Galeria Sztuki [*“Zachęta” – National Gallery of Art*] and the adoption of its Bylaws**

Under Article 13 sections 1 and 2 of the Act on Organising and Conducting Cultural Activity of 25 October 1991 (Dz.U. [*Dziennik Ustaw – Journal of Laws*] of 2012 item 406), it shall be ordered as follows:

- § 1.** “Zachęta – Narodowa Galeria Sztuki [*“Zachęta” – National Gallery of Art*] shall be given the name: Zachęta – Narodowa Galeria Sztuki [*Zachęta – National Gallery of Art*].
- § 2.** Zachęta – National Gallery of Art shall be granted the Bylaws, being an appendix hereto.
- § 3.** The activity of the Programme Board of „Zachęta” – National Gallery of Art, appointed under the previous bylaws of „Zachęta” – National Gallery of Art, shall cease on the date of this Order coming into force.
- § 4.** Order No. 27 of the Minister of Culture of 25 September 2003 concerning the change of the name of “Zachęta” – Państwowa Galeria Sztuki [*“Zachęta” – State Gallery of Art*] to “Zachęta” – Narodowa Galeria Sztuki and the grant of its status shall expire (Dz.Urz. MK [*Official Gazette of the Minister of Culture*] No. 7, item 42).
- § 5.** This Order shall enter into force on the date of signing.

MINISTER OF CULTURE AND NATIONAL HERITAGE

<sup>1</sup>The Minister of Culture and National Heritage manages the department of government administration – culture and national heritage protection, under § 1 section 2 of the Ordinance of the Prime Minister on the detailed scope of the activity of the Minister of Culture and National Heritage of 18 November 2011 (Dz.U. No. 248 item 1482).

Appendix  
to the Order  
of the Minister of Culture and National Heritage  
of 5 December 2021 (item 64)

## **BYLAWS OF**

### **Zachęta – Narodowa Galeria Sztuki [*Zachęta – National Gallery of Art*]**

#### **Chapter 1**

##### **General provisions**

**§ 1.** 1. Zachęta – National Gallery of Art shall be a state cultural institution, established upon the order of the Minister of Culture of 17 December 1949 concerning the takeover of the Centralne Biuro Wystaw Artystycznych [*Central Bureau for Art Exhibitions*] and giving it the name of “Centralne Biuro Wystaw Artystycznych” (Dz. Urz. MKiS [*Official Gazette of the Minister of Culture and National Heritage*] of 1950 No. 1, item 5).

2. Zachęta – National Gallery of Art shall function in particular on the basis of:

- 1) Act on Organizing and Conducting Cultural Activity of 25 October 1991 (Dz. U. of 2012 item 406), hereinafter referred to as the “Act”;
- 2) These Bylaws.

3. Zachęta – National Gallery of Art may use the abbreviated name of “Zachęta”.

**§ 2.** 1. Zachęta shall operate within the Republic of Poland and abroad.

2. Zachęta’s seat shall be the capital city of Warsaw.

**§ 3.** 1. Zachęta’s organizer shall be the Minister of Culture and National Heritage, hereinafter referred to as the “Minister”.

2. Zachęta shall be entered into the register of cultural institutions kept by the Minister under No. 34/92 and shall have legal personality.

#### **Chapter II**

##### **Scope of Zachęta’s activity**

**§ 4.** The object of Zachęta’s activity shall be the dissemination of contemporary art in all its current manifestations, treated as an important element of culture and social life.

**§ 5.** Zachęta shall fulfil its tasks by:

- 1) Organizing exhibitions and artistic events which promote mainly contemporary art created since the mid-twentieth century;
- 2) Cooperating with cultural institutions and associations which work in the field of contemporary culture and other entities whose aims are concurrent with Zachęta’s objectives;
- 3) Developing and implementing educational programmes for children, adults and senior citizens in the field of contemporary art and culture;
- 4) Collecting and making available documentation and information on contemporary art;
- 5) Issuing publications on contemporary art;
- 6) Gathering, stocktaking and making available works of contemporary art;

- 7) Gathering and making available library resources;
- 8) Supporting the most interesting phenomena in contemporary art and culture through organization of artistic projects and production of art works, promotion of artists and events as well as activities aimed at rebuilding the bonds between the artist, the work and the audience.

### **Chapter III** **Supervisory and advisory bodies**

**§ 6.** 1. Zachęta shall be managed by the Director appointed and dismissed by the Minister in accordance with the Act.

2. The Director shall develop the programme of Zachęta's activity, manage Zachęta and represent it before third parties.

3. The Director's duties shall include the completion of the tasks defined in the Bylaws, especially:

- 1) Responsibility for the day-to-day running of Zachęta;
- 2) Supervision of Zachęta's property and rational and effective management of the financial and material resources at its disposal;
- 3) Preparation of Zachęta's programmes, long-term operation strategy and financial plans;
- 4) Supervision and coordination of implementing the prepared strategies, programmes and plans;
- 5) Issuance of regulations and internal orders in an appropriate manner;
- 6) Performance of labour law activities with respect to Zachęta's employees.

4. The Directors shall manage Zachęta with the support of his/her deputies, no more than two.

5. The deputies of the Director shall be appointed and dismissed by the Director, after consulting the Minister.

**§ 7.** 1. Zachęta shall have the Programme Board as a supervisory body.

2. The Programme Board's duties shall include:

- 1) Giving its opinion on the long-term operation strategy of Zachęta;
- 2) Giving its opinion and submitting motions to the Director in all important matters concerning Zachęta;
- 3) Helping to find new forms of organizational, conceptual and financial support for Zachęta's activity.

3. Members of the Programme Board shall be appointed by the Minister upon the Director's request from among people distinguished by their knowledge and authority in the field necessary for the fulfilment of Zachęta's objectives and tasks.

4. The Programme Board shall comprise 11 members.

5. The terms of office of a Programme Board member shall be 3 years.

6. Membership in the Programme Board shall expire upon the end of the term of office, written resignation, dismissal or death of a member.

7. The programme Board meetings shall be held at least once every six months.

8. The minutes of the Programme Board meetings shall be public.

9. The detailed procedure of the Programme Board work shall be stipulated in the regulations adopted by the Board and approved by the Director.

- § 8.** 1. The Director of Zachęta may appoint advisory boards for the performance of specified tasks. When appointing an advisory board, the Director of Zachęta shall determine the object of its activity, composition and number of members.
2. The resolutions of an advisory board shall be adopted by simple majority of votes, with at least half of the number of its members present.
3. Members of the advisory board shall elect the chairperson from among themselves.
4. Members of the advisory board shall be accountable for the performance of their tasks to Zachęta's Director.
5. Zachęta shall provide advisory boards with secretarial and administrative support.

#### **Chapter IV Organisation**

**§ 9.** The internal organisation of Zachęta, including the detailed scope of the functioning of organizational units and division of competencies between the Director and his/her deputy, shall be stipulated in the organizational regulations adopted by the Director in accordance with the Act.

#### **Chapter V Sources of financing**

**§ 10.** Zachęta shall conduct financial management in accordance with the Act.

**§ 11.** 1. The basis of the financial management of Zachęta shall be provided by the annual financial plan determined by the Director, within the amount of the Minister's subsidy.

2. Sources of financing Zachęta's activity shall be revenues from its activity, including the sale of moveable assets, revenues from the lease or rental of assets, earmarked subsidies and specific grants from the budget of the state or a local government unit, funds received from natural and legal persons and other sources.

3. Zachęta may conduct paid activity as additional one, on the rules specified in the applicable regulations, as long as this activity does not limit the implementation of the statutory tasks. This activity may be carried in the field of:

- 1) Publishing;
- 2) Artistic and cultural events;
- 3) Courses, conferences and seminars related to Zachęta's object of activity;
- 4) Rental of assets;
- 5) Advertisement.

4. The obtained revenues Zachęta shall assign to its statutory purposes.

**§ 12.** 1. The Director shall be entitled to undertake legal acts, including submitting declarations of will on behalf of Zachęta within the scope of its rights and liabilities.

2. The Director may grant a written power of attorney to perform the acts referred to in section 1 to other people.

3. Granting and revoking power of attorney, except for power of attorney *ad litem*, shall be subject to disclosure in the register of cultural institutions kept by the Minister.

**§ 13.** Zachęta shall keep accounting records pursuant to the applicable law.

**§ 14.** The Director shall ensure timely drawing up annual financial statements, their obligatory audit by an expert auditor and submission for the Minister's approval.

**Chapter VI**  
**Final provision**

**§ 15.** Amendments to these Bylaws shall be made in the mode appropriate for their establishment.