

**Artur Lis**

Katolicki Uniwersytet Lubelski Jana Pawła II  
(John Paul II Catholic University of Lublin, Poland)  
e-mail: arturlis@kul.pl

ORCID: 0000-0003-4613-0671

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## **The Evolution and Legacy of the Legal Aspects of the Activities of the Rural Housewives' Clubs in Poland**

### **ABSTRACT**

The subject of this article is the analysis of the changes and the legacy of the legal aspects of the Rural Women's Associations. Its specific purpose is to characterise their history, the legal forms of functioning: as associations, as independent Rural Women's Associations and the changes resulting from entering into force of the Act of November 9, 2018 on the Rural Women's Associations. The Author of the article used the dogmatic and the historical-legal methods. The Act of 2018 on the Rural Women's Associations introduced numerous new legal solutions. Currently, the associations cultivate traditions, contributing to the rural development. They show initiative and build a good image of their area. The implementation of many activities undertaken by the associations is possible thanks to the financing granted from the state budget. Pursuant to the Act on the Rural Women's Associations of November 9, 2018, a separate organisational formula was created for RWAs which constitute voluntary, independent and self-governing social organisations of village residents. Based on the previously applicable law, the Rural Housewives' Associations could be created as part of agricultural associations as their independent units. They could also function in the form of associations. The legislator has granted the legal personality to the associations, which allows them to conduct business activity on their own account and use the financial support the public funds. The Rural Women's Associations perform an important function in the rural environment. They support

the integration of local communities, cultivate local and regional customs, develop women's entrepreneurship in rural areas, combining tradition with modernity.

**Key words:** Rural Housewives' Associations, Rural Women's Associations, Farmers' Associations, Associations Act, Rural Women's entrepreneurship, RWA Act

## 1. The Outline of the history of the Rural Housewives' Clubs

Kółka Rolnicze (The Farmers' Associations) arose out of the peasants' need for self-defence against national and economic annihilation during the partitions. They are the oldest agricultural organisations in Poland.

The Farmers' Associations, or rather the Peasant Associations (Kółka Włościańskie), as they were first called, began to form in the second half of the 19<sup>th</sup> century.

On October 1, 1862, in Piaseczno near Gniewo, the first "Peasant Agricultural Society" (Włościańskie Towarzystwo Rolnicze) was established on the territory of Poland, it was the prototype of a farmers' association. The Society's founder was Juliusz Bernard Kraziewicz (1829–1895). Already in the first years of its existence, the association developed intense activities, with monthly meetings held to discuss agricultural and socio-economic issues. A library was set up and agricultural progress was promoted. In March 1866, Kraziewicz founded the first women's organisation "The Society of Housewives (Towarzystwo Gospodyń)" which was headed by Januaria Kalksteinowa. She taught girls not only sewing, mending and fruit processing, but also cheese making, gardening and poultry breeding. The first housewives' association under the name "The Society of Housewives" was established in 1866 in Piaseczno near Gniew, and the first one called The Rural Housewives' Association (Koło Gospodyń Wiejskich) was founded by the teacher and socialist activist Filipina Płaskowicka (1847–1881) in Janisławice in the Łódzkie Voivodeship in 1877.<sup>1</sup>

The associations are no longer as they used to be during this period that the first agricultural periodicals were established, i.e. the "Piaś" in 1867 under the editorship of Józef Chociszewski, and in 1889 in Poznań the first issue of 'Poradnik Gospodarski' was published (in 1900–1918 with a supplement entitled 'Gospodyni Wiejska' for Rural Housewives' Associations). In Kraków, in turn, from 1899, Maria Konopnicka, Maria Wysłouchowa and Maria Siedlecka

<sup>1</sup> J. Poszepczyński, *Historia Kółek Rolniczych, Kół Gospodyń Wiejskich na ziemiach polskich: 1862–2012. Sto pięćdziesiąt lat Kółek Rolniczych na ziemiach polskich*, Warszawa 2012.

edited a magazine for rural women entitled „Przodownica”. On the initiative of Maria Kleniewska, the “Women’s Work Association” (Koło Pracy Kobiecej) was organised in 1895, with the aim of providing mutual support in raising the economic level, spreading education and increasing the role of rural women.<sup>2</sup>

The years 1906–1914 were a period of development for women’s organisations in Galicia. In 1910, in Kościeszki (the district of Strzelin), the first „Peasant Women’s Association” (Koło Włościanek) in Wielkoposka was founded, initiated by Emilia Wyskota-Zakrzewska. In 1913, Father Paweł Załuska founded the „Landladies’ Association” (Koło Ziemianek) in Retkinia near Łódź. After Poland regained its independence, women’s organisations adopted the common single name of „The Rural Housewives’ Association” (Koło Gospodyń Wiejskich). Initially, the role of the Rural Housewives’ Association (RHA) was to help one another with farm work, to run a crockery rental shop, to organise village festivities and fairs, to distribute chickens and pigs. RHA members organised sewing, cooking and baking courses and taught housekeeping.<sup>3</sup>

After the Second World War, the activities of the Farmers’ and Housewives’ Associations were severely limited. Their reactivation did not take place until after 1956. In the 1960s, women’s organisations organised profitable dance parties, which enabled the RHAs to equip their common rooms with the necessary furniture and tableware. These furnishings were rented out to villagers for weddings for a fee. The RHAs organised coach trips to big cities, shrines or cultural institutions, cinemas and theatres. In the 1980s, trips to various training courses and food demonstrations were organised. The RHAs represented the interests of women living in the countryside and worked to improve their social and professional status. In the 1990s, the RHAs initiated various economic and commercial activities such as food processing, small catering, tourism, promotion and sale of folk art and handicrafts.<sup>4</sup>

<sup>2</sup> P. Frączak, *Historia kół gospodyń wiejskich - między emancypacją a kolonizacją wsi* (The History of the Rural Housewives Associations – Between Emancipation and Colonisation of the Countryside), „Trzeci Sektor” 2021, nr 55 (03/2021), pp. 43-56.

<sup>3</sup> *Kobieta i edukacja na ziemiach polskich w XIX i XX wieku* (A Woman and Education on the Territory of Poland in 19th and 20th Cent.), eds. A. Żarnowska, A. Szwarz, vol. 2, part 2. Warszawa 1995; *Działaczki społeczne, feministki, obywatelki. Samoorganizowanie się kobiet na ziemiach polskich po 1918 roku (na tle porównawczym)* (Social Activists, Feminists, Citizens. Self-organisation of Women on the Territory of Poland After 1918 – Comparative Approach), eds. A. Janiak-Jasińska, K. Sierakowska, A. Szwarz, vol. 2. Warszawa 2009.

<sup>4</sup> K. Rosół, *Koła Gospodyń Wiejskich w PRL-u – modernizacja czy petryfikacja wsi?* (The Rural Housewives’ Associations in the People’s Republic of Poland – Modernisation or Petrification of the Countryside?, [in:] *Polska XX wieku w świetle badań historycznych i społecznych*, eds. J. Jędrzejewska, M. Śliwa, Lublin 2020; R. Wieruszewski, *Równość kobiet i mężczyzn w Polsce Ludowej*, Poznań 1975.

**Table 1. The Number of the Rural Women's Associations and their members in the years 2018–2021**

Studied parameter	2018	2019	2020	2021
Number of clubs	5,048	8,835	9,732	10,689
Number of members	129,692	236,773	260,911	287,579

Source: *The Importance of the Rural Women's Associations for the Local Culture and the Financial aid Received from the State Budget*, "Rocznik Kultury Polskiej" 2022, p. 173.<sup>5</sup>

## 2. The Rural Women's Associations after the amendment of the law

The Act on the Rural Women's Associations (abbreviated as RWA) defines the RWA as a voluntary, independent from the central and local government authorities, self-governing organisation of rural residents, supporting the development of entrepreneurship in the countryside and actively working for the benefit of rural communities.<sup>6</sup> Taking into account the legislation and legal framework in force so far, as well as the Act on the Rural Women's Associations passed at the end of 2018, an RWA can conduct its activities within the following legal framework:<sup>7</sup>

1. the Associations Act of April 7, 1989. (as an association).<sup>8</sup>
2. the Act on the Social and Professional Organisations of Farmers (within the framework of the National Union of Farmers, Associations and Agricultural Organisations, as an independent farmers' association or within the structures of a farmers' association).<sup>9</sup>

<sup>5</sup> "Rocznik Kultury Polskiej" 2022; <https://sklep.nck.pl/pl/p/Rocznik-Kultury-Polskiej-2022-do-pobrania-PDF/997>, (11.03.2023).

<sup>6</sup> Article 1(1) the Act of November 9, 2018 on Rural Women's Associations (the Journal of Laws (Dz.U.) 2023, item 1179, uniform text).

<sup>7</sup> A. Lis, *Prawne aspekty działalności kół gospodyń wiejskich* (Legal Aspects of RWA Activities), „Studia Prawnicze KUL” 2023, No. 1.

<sup>8</sup> Associations Act of 7 April 1989 (the Journal of Laws 2020, item 2261). See: E. Hadrowicz, *Prawo o stowarzyszeniach. Komentarz*, Warszawa 2020.

<sup>9</sup> The Act of October 8, 1982 on Social and Professional Organisations of farmers (the Journal of Laws 2022, item 281.). See: E. Tomkiewicz, *Prawne formy zrzeszania się rolników i ich rola w reprezentowaniu interesów zawodowych* (Legal Forms of Associations for Farmers and Their Role in Representing Professional Interests), [in:] *Prawo rolne*, ed. P. Czechowski, Warszawa 2019; B. Kozłowska, *Kółka rolnicze i koła gospodyń wiejskich jako reprezentanci potrzeb, interesów zawodowych i społecznych rolników i ich rodzin* (the Farmers' Associations and the Rural Housewives' Associations as Representatives of the Needs, Social and Professional Interests of Farmers and Their Families), [in:] *Miejsce i rola kółek rolniczych w rozwoju wsi i rolnictwa. Materiały konferencyjne*, Warszawa 1998, pp. 165-174.

3. the Act of November 9, 2018 on the Rural Women's Associations.<sup>10</sup>
4. informal groups (natural persons).

As Grzegorz Krawiec points out, "The Rural Housewives' Association" (Koło Gospodyń Wiejskich) is a name referring to tradition and history.<sup>11</sup> The term "housewives" included in it, which suggests that only women can be members of RHAs, should be understood in this context. RHAs were a form of an association for women who lived in the countryside and were farmers' wives – women living in the countryside at that time were not left with much choice of the way of life. Nowadays, however, there are all sorts of people living there, including non-farmers, and the tasks of the Rural Women's Associations (RWA) are not necessarily closely linked to the countryside. According to Krawiec, the role of the associations needs to change: from an organisation that strictly supports the traditional form of village life to one that supports the local social environment.

The Rural Women's Associations are typically female organisations – founded by women and bringing women together. All these organisations have become firmly established in the Polish countryside. The members of the associations combine traditional female roles with professional work, and regard the possibility of joint action for the benefit of the village and its inhabitants as an area of social activity.

The Act on the Rural Women's Associations is a normative act, which makes the Rural Women's Associations independent of other social and professional organisations of farmers. The Act introduced the independence of RWAs, defining them as voluntary, independent of the central and local government units, self-governing social organisations of rural inhabitants, whose aim is to support the development of entrepreneurship in rural areas and to actively work for rural communities.<sup>12</sup>

The Act on the Rural Women's Associations is difficult to assign to a single branch of law. This is due, inter alia, to the fact that it contains a number of norms characteristic of various branches, and, moreover, it refers to the issues

<sup>10</sup> The Act on November 9, 2018 *on Rural Women's Associations* (Journal of Laws 2023, item 1179 uniform text).

<sup>11</sup> G. Krawiec, *Ustawa o kołach gospodyń wiejskich. Komentarz*, Warszawa 2021.

<sup>12</sup> Z. Grzebisz-Nowicka, *Działalność organizacji Kół Gospodyń Wiejskich na rzecz kobiet i ich Rodzin* (The Activities of the Rural Women's Associations for Women and Their Families), [in:] *Kobieta wiejska w Polsce: rodzina, praca, gospodarstwo*, ed. J. Sawicka, Warszawa 1995; B. Kozłowska, *Kółka rolnicze i koła gospodyń wiejskich jako reprezentanci potrzeb, interesów zawodowych i społecznych rolników i ich rodzin* (The Farmer's Associations and the Rural Women's Associations as the Representatives of the Needs, Social and Professional Interests of Farmers and Their Families), [in:] *Miejsce i rola kółek rolniczych w rozwoju wsi i rolnictwa. Materiały konferencyjne*, Warszawa 1998, pp. 165-174.

concerning the participation of citizens in the social life, which is the subject of interest of various branches of law: constitutional law, administrative law, civil law, financial law.

The Act in question sets out the forms and principles of a voluntary association in RWAs. The procedure for their establishment and for the organisation of RWAs operating on the territory of the Republic of Poland is also determined by the Act. The commented Act is not the first legal act which regulates the issues of RWAs. In the previous legal status, RWAs were not rules by an independent legal act, they constituted one of the social and professional agricultural organisations. Since its entry into force, they have become an independent entity, endowed with the legal identity. The purpose of the Act is to support the activities of RWAs for the development of entrepreneurship in rural areas and the cultivation of folklore and rich Polish tradition. The explanatory memorandum to the bill in question also states that RWAs are to be independent of other social and professional organisations of farmers (farmers' associations), as well as from the central and local government.

The Act on social and professional organisations of farmers was important for the activities of the Rural Women's Associations.<sup>13</sup> Before the Act on Rural Housewives' Clubs of November 9, 2018<sup>14</sup> entered into force, RWAs were one of the five social and professional organisations of farmers, along with the farmers' associations, farmers' unions, agricultural associations and organisations, as well as unions of agricultural associations. The regulations of the associations in this Act were extremely laconic – the associations had no autonomy and functioned on the basis of by-laws.<sup>15</sup>

13 *Lokalne, regionalne i tradycyjne szansą dla Kół Gospodyń Wiejskich II. Poradnik dla Kół Gospodyń Wiejskich*. Wydanie drugie uaktualnione, Warszawa 2020.

14 S. Iwanowski, *Prawne formy organizowania się społeczeństwa* (The Legal Forms of Organising a Society), „Samorząd Terytorialny” 2010, No. 1-2; R. Barański, *Fundacje i stowarzyszenia. Współpraca organizacji pozarządowych z administracją publiczną*, Warszawa 2016; *Instytucje prawa rolnego*, ed. M. Korzycka, Warszawa 2019.

15 I. Raszejska-Ossowska, *Formalno-prawne aspekty działalności kół gospodyń wiejskich*, Warszawa 2019; M. Biejał, K. Wójcikowska, *O roli tradycji we współczesnej działalności Kół Gospodyń Wiejskich* (On the Role of Tradition in the Contemporary Activities of RWAs), „Wieś i Rolnictwo” 2015, No. 1-2; J. Stasiak, *Koła Gospodyń Wiejskich – nie tylko od kuchni* (The Rural Women's Associations – Not Only Behind the Kitchen Scene), „Wieś Mazowiecka. Mazowiecki Ośrodek Doradztwa Rolniczego w Warszawie” 2016, No. 11; M. Urbaniak, *Kierunki rozwoju organizacyjnego Kół Gospodyń Wiejskich*, „Acta Universitatis Lodziensis. Folia Historica” 1979, No. 43, pp. 187-193; B. Kożuch, *Cele i korzyści współpracy organizacji publicznych i pozarządowych* (Aims and Benefits of Cooperation Between Public and Non-governmental Organisations), [in:] *Wpływ przemian cywilizacyjnych na prawo administracyjne i administrację publiczną*, eds. J. Zimmermann, P.J. Suwaj, Warszawa 2013.

Article 2 of the Act defines the organisational form and scope of activity of RWAs. The Rural Women's Club is a voluntary, independent of the central and local government, self-governing social organisation of rural inhabitants, supporting the development of entrepreneurship in the countryside and actively working for the benefit of rural communities. The RWA Club represents the interests of rural women and of their families and works for the improvement of their socio-professional situation and supports the development of rural areas. From the point of view of the legal nature of RWAs, Article 2 is one of the most important articles.<sup>16</sup> This is because it defines the scope of their activities. In the first paragraph it indicates the constitutive features of RWAs and defines their purpose in general terms. These features are: 1) voluntariness, 2) independence from the central and local government, 3) self-governance, 4) recognition of RWAs as a social organisation of village inhabitants.<sup>17</sup>

Grzegorz Krawiec, in the commentary under review, while discussing Article 2 of the Act in question, characterised: the membership of RWAs and the freedom of association; activities of RWAs as a form of implementing the principle of subsidiarity; RWAs as a social organisation; the voluntary and self-governing nature of RWA. RWAs' tasks include: implementing the principle of equality; counteracting social exclusion; acting for the benefit of the family; conducting social, educational and cultural activities in rural communities; developing rural areas; supporting the development of women's entrepreneurship; initiating and carrying out activities to improve the living and working conditions of rural women; promoting and developing forms of cooperation, management and rational housekeeping; representing the interests of the rural women community before the public administration authorities; developing the local and regional folk culture; the RWA can also act as an employer.

<sup>16</sup> The Act of November 9, 2018 on Rural Women's Associations (the Journal of laws 2023, item 1179 uniform text).

<sup>17</sup> J. Podgórska-Rykała, *Samorząd gminny jako przestrzeń realizacji zasady równości kobiet i mężczyzn* (Gmina's Local Government as a Space for Implementing the Principle of Equality of Men and Women), „Samorząd Terytorialny” 2016, No. 9; J. Sługocki, *Podstawy prawne kulturotwórczej roli samorządu terytorialnego. Perspektywa 30 lat doświadczeń* (The Legal Grounds of the Role of the Territorial Government in Creating Culture. 30 Years of Experience), „Samorząd Terytorialny” 2020, No. 4; K. Zajda, *Władza lokalna, organizacje pozarządowe i przedsiębiorcy - współdziałanie na rzecz rozwoju wsi. Studium przypadku gmin wiejskich powiatu radomszczańskiego* (Rural Gminas of the Radom Poviast. Case Study), „Samorząd Terytorialny” 2013, No. 3; *Prawo rolne*, ed. P. Czechowicz, Warszawa 2019.



**Table 2: The financial aid granted in 2021, by voivodeships**

Voivodeship	The Number of Applications Submitted (Złożonych wniosków)	The Amount of The Financial Aid Granted (in PLN)
1	2	3
Dolnośląskie	361	1,918,000
Kujawsko-pomorskie	548	2,942,000
Lubelskie	1,282	7,008,000
Lubuskie	140	771,000
Łódzkie	854	4,783,000
Małopolskie	831	4,527,000
Mazowieckie	1,318	7,384,000
Opolskie	130	709,000
Podkarpackie	788	4,278,000
Podlaskie	382	2,093,000
Pomorskie	308	1,617,000
Śląskie	319	1,735,000
Świętokrzyskie	652	3,536,000
Warmińsko-mazurskie	347	1,824,000
Wielkopolskie	1,505	8,660,000
Zachodniopomorskie	394	2,085,000
Total	10,159	55,870,000

Source: *The Importance of the Rural Women's Associations for the Local Culture and the Financial Aid Received From the State Budget*, "Rocznik Kultury Polskiej" 2022, p. 176.<sup>18</sup>

It is noteworthy that the author, commenting on Article 3 on the right of the association and the establishment of associations of RWAs, has prepared sample forms: No. 1. The Application for registration of the Rural Women's Association in the National RWA Register; No. 2. The Annex to the application for registration of the union of RWAs in the National RWA Register for union founders; No. 3. Annex to the application for registration of the union of RWAs in the National RWA Register for members of the union; No. 4. The Resolution on declaration of RWA's membership in the union.

Article 4 introduces the principle – one RWA per one village. RWAs may also be established and operate in: 1) sołectwo (rural administrative unit of a gmina)

<sup>18</sup> "Rocznik Kultury Polskiej" 2022; <https://sklep.nck.pl/pl/p/Rocznik-Kultury-Polskiej-2022-dopobrania-PDF/997>, (11.03.2023).



located within the administrative borders of towns; 2) towns with up to 5,000 inhabitants. One RWA can also operate in one or more villages. Any person over 18 may become a RWA member but persons over 13 may also participate in its activities with the consent of their statutory representatives.<sup>19</sup>

RWA shall act on the basis of the statute adopted by it, which specifies in particular:

- 1) the name and seat of the association;
- 2) the personal and territorial scope of activity of the association;
- 3) the aims and objectives of the association and means of their implementation;
- 4) the scope and subject of profit making activity conducted by the association;
- 5) the manner of acquiring and losing membership and reasons for the loss of membership in the association;
- 6) the rights and duties of its members;
- 7) the manner of establishing and paying membership fees;
- 8) the association authorities, their competences, term of office and procedure of their election and dismissal before the end of the term of office;
- 9) the conditions of adopting and validity of resolutions of the club bodies;
- 10) the manner of external representation of the association, in particular the manner of incurring property liabilities;
- 11) the assets of the association and the manner of asset disposal;
- 12) the principles of creating and using capital (funds) of the association;
- 13) the mode of amending the statute of the association;
- 14) the procedure of liquidation of the association.

The initiative to found an association may be put forward by at least 10 persons, referred to as the founders until the registration of the association with the National RWA Register,<sup>20</sup> who are at least 18 years of age and whose place of residence is a village in which the association operates, a village located within the administrative borders of a town or a town of up to 5,000 inhabitants. The place of residence is not the same as the place of domicile of a person, as the place of domicile may differ from the place of residence.<sup>21</sup>

The founders adopt the statutes of the association by resolution. These may be the model statutes annexed to the RWA Act or the RWA's own statutes, meeting the requirements set out in Article 5(2) of the RWA Act. The club may adopt

<sup>19</sup> *Kto może założyć Koło*; <https://www.gov.pl/web/kobiety-gospodarne-i-wyjatkowe/kto-moze-zalozyc-kolo>, (01.03.2023).

<sup>20</sup> The National Register of Rural Women's Association.

<sup>21</sup> The Act of November 9, 2018 *on Rural Women's Association* (the Journal of Laws 2023, item 1179, uniform text), Article 4.

the model statutes at any time even if it has previously adopted its own statutes, or adopt its own statutes even if it has previously adopted the model statutes. Any such change to the statutes triggers the obligation to notify it to the RWA Register. Any such change to the statutes triggers the obligation to notify it to the RWA Register. Adoption of the model statutes means that the association can only add its name, headquarters or the area of operation. However, a change in the number of board members or the method of representation is already a change to the statute and makes the statute non-model. The founders elect a founding committee from among themselves. The committee is a collegiate body, which means that it must consist of at least two persons. The founding committee acts on behalf of the club until the club is registered with the RWA Register. Its organs, including the board members, are elected in accordance with the statutes. This means that the founding committee applies for its registration with the National Register of the Rural Women's Associations.<sup>22</sup> After the registration of the club with the National RWA Register and the election of the management board of the association, the right to represent the association is vested in its management board. The board is appointed by resolution by the meeting of the association members. With its registration in the National RWA Register, it acquires legal personality, i.e. it becomes a subject of rights and obligations, can sue and be sued, can make declarations with legal effects and it can incur liabilities. After registration in the National RWA Register, the founders of the association become its members.<sup>23</sup>

If a RWA goes into liquidation, the liquidators of this association are the members of its management board, if the statutes or, in the absence of relevant provisions of the statutes, the resolution of the last meeting of the members of this association does not provide otherwise. A RWA in liquidation shall preserve its existing name with the addition of the words: „in liquidation”. It is the duty of the liquidator to carry out the liquidation as quickly as possible in such a way as to protect the assets of the liquidated RWA from unjustified depletion.

Within such limits, the liquidator is authorised to manage the RWA's activities and represent that association externally. The liquidator shall, in particular, notify the President of the ARMA (the Agency for Restructuring and Modernisation of Agriculture) of the opening of liquidation and the appointment of the liquidator, stating his name, surname and place of residence; perform legal actions necessary to carry out the liquidation, in particular make public the information about opening of the liquidation and summon creditors to present their claims, within 3 months from the date of the announcement. After the liquidation is completed, the liquidator shall submit an application

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<sup>22</sup> Ibidem, Articles 6-10.

<sup>23</sup> Ibidem, Articles 15-16.

to the President of the ARMA for the RWA to be removed from the register. If an association has obtained a declaratory entry in the National RWA Register, the application for deletion shall be submitted by a person authorised to represent that association. If a liquidator submits an application for deletion, but has not previously notified the President of the ARMA about the opening of liquidation, it should be determined, within the framework of the deletion proceedings, whether all requirements for the liquidation of the association have been fulfilled. The President of the ARMA removes the RWA from the register by decision.<sup>24</sup>

The RWA Act gives it far-reaching advantages. These include, for example, the possibility of keeping the Simplified Revenue and Cost Records (SRCR) instead of keeping accounting books and preparing financial statements.<sup>25</sup> RWAs may keep the Simplified Revenue and Cost Records – on specially prepared templates. Keeping the SRCR also exempts from the annual obligation to submit financial statements to the Head of the National Tax Administration and (generalising) from the obligation to have a cash register. RWAs keeping a SRCR are still obliged to submit the annual CIT-8 Return with annexes to the tax office. CIT-8 is a declaration of the amount of income (loss) earned, costs and tax due, as well as any tax exemption that the RWA may enjoy. RWA's income is used so that its statutory objectives be achieved and it cannot be distributed among its members. RWA's remunerated activities, e.g. sale of regional food under the VAT Act, is a taxable business activity, and RWAs conducting such business are recognised as VAT payers. At the same time, it should be noted that pursuant to Article 113(1) and (9) of the VAT Act, RWAs may be exempt from this tax – if the value of sales does not exceed the total amount of PLN 200,000 in the preceding fiscal year, and in the case of commencement of taxable activities during the fiscal year – if the value of sales does not exceed the above amount in proportion to the period of business activity conducted in the fiscal year.<sup>26</sup>

Through the introduction of the RWA Act of November 9, 2018 the clubs have been recognised and appreciated by the legislator as a separate organisation. The

<sup>24</sup> *Koła Gospodyń Wiejskich* (Rural Women's Associations), Dodatek specjalny „Tygodnika Poradnika Rolniczego” at: <https://www.tygodnik-rolniczy.pl/articles/wies-i-rodzina/poradnik-dla-kgw-dot-acje-projekty-inspiracje-pobierz>, (01.06.2022); <https://www.arimr.gov.pl/krajowy-rejestr-kol-gospodyn-wiejskich/dokumenty-niezbedne-do-przyznania-pomocy.html> (01.03.2023).

<sup>25</sup> P. Małecki, M. Mazurkiewicz, *CIT. Komentarz. Podatki i rachunkowość*, Warszawa 2020.

<sup>26</sup> *Jak prowadzić finanse Koła Gospodyń Wiejskich. Poradnik dedykowany Kołom Gospodyń Wiejskich zarejestrowanym w Krajowym Rejestrze Kół Gospodyń Wiejskich prowadzonym przez Agencję Restrukturyzacji i Modernizacji Rolnictwa* (How to Keep RWA's Financial Records. A Manual Dedicated to RWAs Registered in the National RWA Register Kept by ARMA), (source: <https://www.gov.pl/web/kobiety-gospodarne-i-wyjatkowe>, (01.03.2023); K. Olejniczak, *Czynniki sprzyjające przedsiębiorczości kobiet w biznesie* (Factors Supporting Female Business Entrepreneurs), „Zeszyty Naukowe Politechniki Częstochowskiej. Zarządzanie” 2016, No. 22.

financial support for RWAs from the state budget for their statutory activities, the amount of which depends on the number of association members, is also extremely important. An interesting project could be the extension of the Act to the area outside the village, i.e. a sister organisation of urban women, also focused on activities for the local community, but not using the name 'Rural Women's Association'.<sup>27</sup>

Table 3. The Number of RWAs by Voivodeship (as of March 7, 2023)

Voivodeship	Number	%
Dolnośląskie	423	3.85
Kujawsko-pomorskie	633	5.76
Lubelskie	1.368	12.44
Lubuskie	175	1.59
Łódzkie	961	8.74
Małopolskie	796	7.24
Mazowieckie	1.524	13.86
Opolskie	151	1.37
Podkarpackie	788	7.17
Podlaskie	439	3.99
Pomorskie	223	2.03
Śląskie	350	3.18
Świętokrzyskie	683	6.21
Warmińsko-mazurskie	421	3.83
Wielkopolskie	1.579	14.36
Zachodniopomorskie	481	4.37

Source: [https://www.coig.com.pl/wykaz\\_lista\\_kola-gospodyn-wiejskich\\_w\\_polsce.php](https://www.coig.com.pl/wykaz_lista_kola-gospodyn-wiejskich_w_polsce.php), (11.03.2023).

<sup>27</sup> K. Lipiński, K. Trudnowska, *Formalno-prawne aspekty funkcjonowania kół gospodyń wiejskich* (The Formal and Legal Aspects of FWA Functioning), [in:] *Lokalne, regionalne i tradycyjne szansą dla Kół Gospodyń Wiejskich. Poradnik dla KGW*, Warszawa 2019, pp. 80-88; I. Matysiak, *Koła gospodyń wiejskich i ich funkcje w kontekście specyfiki trzeciego sektora w wybranych społecznościach wiejskich* (FWAs and Their Functions in the Context of the Third Sector in the Selected Rural Communities), [in:] *Kobiety, feminizm, demokracja*, ed. B. Budrowska, Warszawa 2009; S. Michalska, *Tradycyjne i nowe role kobiet wiejskich* (Traditional and New Roles of Rural Women), "Wieś i Rolnictwo" 2013, no. 2; A. Ostaszewska, *Zaangażowanie i aktywność społeczna kobiet na przykładzie kół gospodyń wiejskich oraz grup feministycznych. Analiza przypadków* (Commitment and Social Activity of Women on the Example of RWAs and Feminist Groups. Case study), [in:] *Krajobraz społeczno-ściowy – Polska 2014*, eds. G. Chimiak, K. Iwińska, Warszawa 2014; J. Sawicka, *Koła gospodyń wiejskich jako społeczno-zawodowa organizacja kobiet* (RWAs as a Social and Professional Women's Organisation), „Wieś i Rolnictwo” 1996, 2, pp. 75-88.

### 3. Rural Women's Groups as associations

RWAs exist on the basis of the Associations Act of April 7, 1989 and have the status of a non-governmental organisation. Such associations generally use the term “association” in their name. An association is a voluntary, self-governing, sustainable non-profit association. The aims of the association are to serve broadly defined social purposes. An association is subject to registration in the National Court Register and acquires legal personality as of that date. The association has the status of a non-governmental organisation. The association may be founded by a minimum of 7 persons, who are Polish citizens and have full legal capacity. They adopt the Articles of the Association and elect the management and audit bodies.<sup>28</sup>

The basic source of income of an association are membership fees. An association may apply for public support. It can accept donations, inheritances and bequests, carry out business activities and derive income from them as well.

An ordinary association is a simplified form of an association, and in order to set up an association, it is enough for three natural persons to adopt the rules of activity, specifying, in particular, the name of the ordinary association, the purpose, the territory and the mode of operation, the headquarters, the representative representing the ordinary association, the way of acquiring and losing membership and the way of dissolving the association. An ordinary association may have a management board, a statute and an audit committee. The register of ordinary associations is kept by the district governor (starost) having jurisdiction in respect of the headquarters of the association. An ordinary association does not have a full legal personality (it has a so-called “impaired legal personality”), it can incur liabilities and benefit from various forms of financing. Ordinary associations can neither establish their branch offices nor unite to form unions.<sup>29</sup>

The initiative to establish a RWA – an ordinary association – is taken by a minimum of three natural persons, among whom there is no obligation to own a farm or to live in the countryside. These persons adopt by-laws (regulations), which are the equivalent of the statutes of an farmers' association or a registered association. The association may appoint a management board and audit bodies, the election procedures and tasks which are specified in the bylaws. The representative of an ordinary association or the management board submits in

<sup>28</sup> Associations Act of April 7, 1989, the Journal of Laws 2020, item 2261.

<sup>29</sup> K. Lipiński, K. Trudnowska, *Formalno-prawne aspekty funkcjonowania kół gospodyń wiejskich* (The Formal and Legal Aspects of RWAs Functioning), [in:] *Lokalne, regionalne i tradycyjne szansa dla Kół Gospodyń Wiejskich. Poradnik dla KGW*, Warszawa 2019, p. 80.

writing an application for entry in the register of ordinary associations to the supervising authority having jurisdiction over the headquarters of the ordinary association, currently the starost, district governor having jurisdiction over the seat of the association. The application must be accompanied by regulations, a list of the founders, the name and surname, the residence address and the PESEL [social security] number of the representative of the ordinary association or the members of the management board and the address of the registered office of the association.<sup>30</sup>

An ordinary association acting on the basis of the Association Law Act and subject to registration in the register kept by the starosts, district governors, to which the Act grants the status of an organisational unit without legal personality – in this case, when the members of such an entity apply for registration in the National RWA Register, they will create a new entity which, in its organisational form, will be a legal entity separate and independent from the ordinary association. In view of the above, there will be, de facto, two entities in legal affairs: one in the form of a legal entity, i.e. a RWA, and an ordinary association, registered in the relevant register. It should also be emphasised that this will involve meeting the obligations incumbent on these entities separately for each of them. It should be understood that the provisions of the RWA Act will be fully applicable to the association while the association will be an entity independent of ARMA. It is important that, in the process of registration of such an entity in the National RWA Register, the founding committee should participate, and the newly created association will not provide the REGON (National Business Registry Number) and NIP (Tax Identification Number), which were granted for the ordinary association.<sup>31</sup>

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<sup>30</sup> Ibidem, pp. 80-82.

<sup>31</sup> More: E. Hadrowicz, *Prawo o stowarzyszeniach. Komentarz*, Warszawa 2020.

**Table 4: Similarities and differences of the legal framework of RWAs**

Registered association	Ordinary association	RWAs pursuant to the RWA Act
Number of people necessary to establish		
Min. 7	Min. 3	Min. 10
Registration		
Entry in the National Court Registry (division)	Entry in the register of ordinary associations (starost)	Entry in the National RWA Agency for Restructuring and Modernisation of Agriculture (ARMA)
Obligatory authorities		
1. General meeting of members 2. Management Board 3. Internal supervisory Unit (Audit committee)	Representative representing the association or the management board	1. Meeting of members 2. Management Board
Conducting business activity		
Yes	No	Yes
Legal personality		
Yes	No	Yes

Source: The Local, Regional and Traditional Opportunities for RWAs II. Manual for the Rural Women's Associations. The Second updated Edition, Warszawa 2020, p. 101.

#### **4. The Rural Women's Association as an independent Farmers' Association**

A RWA may operate as an independent Farmers' Association on the basis of the provisions of the Act of October 8, 1982 on the social and professional organisations of farmers.<sup>32</sup> The club as an independent farmers' association has democratically elected authorities and operates on the basis of its statutes. A Rural Women's Association – A Farmers' Association is subject to registration with the National Court Register. Upon such registration, it acquires legal personality. A Rural Women's Association as a Farmers' Association may carry out business activities on the terms and conditions applicable to a Cooperative of Farmers' Association. Such an entity, as in the case of registered associations, may obtain an entry in the National Court Register of a declaratory nature and,

<sup>32</sup> The Act of November 8, 1982 on *social and professional organisations of farmers*, the Journal of Laws 2022, item 281.



within the framework of registration in the National Court Register, the entity should indicate its REGON and NIP, and persons authorised to represent it should come from the management board.<sup>33</sup>

Of course, there is no obstacle, for example, for the existing members of the association to set up an activity separate from the association, thus obtaining a legal personality separate from the RWA. In this situation, the founding committee should be involved in the process of registration with the National RWA Registry.<sup>34</sup>

Entities that were in operation before the date of the RWA Act's entry into force, but which are not granted legal personality by the regulations, but only this so-called impaired legal personality, i.e. organisational units without the legal personality, should be treated differently. For such entities, the entry into the National RWA Register is constitutive in nature and involves the creation of a new legal personality, an entity that is organisationally independent independent from the entity that was operating before the date the application for entry was submitted to the RWA Register. Therefore, it should be considered that in such cases there is a creation of a new association under the provisions of the RWA Act.<sup>35</sup>

The RWA so far operating as a separate organisational unit within a farmers' association, established on the basis of the provisions of the Act of October 8, 1982 on social and professional organisations of farmers, as a result of registration of such an entity with the NRA Register will obtain legal personality. As in the case of ordinary associations, the registration of an association in the National RWA Register, should be made by the founding committee, and the association, after obtaining the entry, should apply to the competent authorities for REGON and NIP.

The statute of the RWA – the Farmers' Association should specify:

- the name and headquarters of the club,
- the personal and territorial scope of its activities,
- objectives and tasks of the Farmers' Association and the means of achieving them,
- the scope and content of its business operations,
- the method of admission of members and loss of membership,
- the rights and obligations of members,
- the method of determining membership fees,
- the organisational structure of the association,

<sup>33</sup> K. Lipiński, K. Trudnowska, *op. cit.*, p. 82

<sup>34</sup> *Ibidem*, pp. 82-83.

<sup>35</sup> *Ibidem*, p. 83.

- the Association's organs, their powers, the duration of their term of office, and the procedure for the election and dismissal of such organs before the end of the term of office,
- the conditions for the adoption and validity of association body resolutions,
- the method of external representation of the association,
- the association assets and the procedure for the disposal of these assets,
- the way in which the association may incur liabilities,
- the principles of distribution of the surplus from business operations,
- the procedure for amending the statute,
- the procedure for the liquidation of the association.<sup>36</sup>

Each RWA which is a unit of a Farmers' Association in the same way as an independent Farmers' Association, is entitled to organisational, instructional, financial, business and legal assistance from farmers' associations, cooperatives of farmers' associations and farmers' unions and organisations.;

When the Act of November 9, 2018 on the Rural Women's Association entered into force, on the basis of Article 28, the legislator amended the Act on Social and Professional Organisations of Farmers by deleting the possibility of creating/establishing the Rural Women's Associations as farmers' associations. Namely, Article 3(2) and the entire Chapter 4 of the Act devoted to RWAs were repealed.<sup>37</sup> In this way it is possible for the associations to function according to the previous terms, while at the same time new Rural Women's Associations cannot be established on the basis of the provisions of the Act on social and professional organisations of farmers.<sup>38</sup>

#### Attachment 3. The Logo of the Rural Women's Associations



Source: <https://www.gov.pl/web/kobiety-gospodarne-i-wyjatkowe/logotypy>

<sup>36</sup> K. Lipiński, K. Trudnowska, op. cit., pp. 82-83.

<sup>37</sup> The Act of October 8, 1982 on *social and professional organisations of farmers*, the Journal of Laws 2022, item 281.

<sup>38</sup> *Lokalne, regionalne i tradycyjne szansą dla Kół Gospodyń Wiejskich II. Poradnik dla Kół Gospodyń Wiejskich. Wydanie drugie uaktualnione*, Warszawa 2020, pp. 98-101.

## 5. Conclusions

On the basis of the Act on the Rural Women's Associations of November 9, 2018,<sup>39</sup> a separate organisational formula was created for RWAs, which are voluntary, independent and self-governing social organisations of rural residents. Based on the previous legislation, RWAs could be established within the framework of the Farmers' Associations as their independent units, which consequently resulted in limiting activities. They could also function in the form of associations. An important statutory solution is granting legal personality to RWAs, which allows them to carry out business activities on their own account and benefit from financial support from public funds in the form of earmarked grants.<sup>40</sup>

RWAs are typically women's organisations – set up by women and bringing women together. Without the Rural Women's Associations, without farmers' associations and unions, there would be no Polish countryside. All these organisations have already become firmly established in Polish villages. They are the organisations which provide women with a space to meet together, to break away from their everyday duties, offer a certain element of emancipation, a place to develop their talents and allows them to get involved in social and public life. Members of the associations combine traditional female roles with professional work, and treat the possibility of joint action for the benefit of the village and its inhabitants as an area of social activity and an opportunity for self-fulfillment and success in a completely different role.

Analysing the range of operation of associations over the years, many conclusions can be drawn. The first associations that were formed were involved in bringing a modern approach to the village through various forms of activity. Contemporary associations concentrate their ideas on tradition in the broad sense of the word, on local and long-forgotten dishes, customs, traditions and handicrafts.

The social activity of women who are active in the Rural Women's Clubs is currently underestimated in a broader perspective. They are wrongly labelled as outdated, non-modern organisations which are not open to the younger generation and lack legitimacy in their activities.<sup>41</sup>

Through the introduction of the RWA Act of November 9, 2018, clubs have been recognised and valued by the legislature as a distinct organisation. The financial support of Rural Women's Associations from the state budget for their

<sup>39</sup> The Act of November 9, 2018 on *Rural Women's Associations* (the Journal of Laws 2023, item 1179, uniform text)

<sup>40</sup> *Prawo rolne*, ed. P. Czechowicz, Warszawa 2019, Chapter XX; *Instytucje prawa rolnego*, ed. M. Kozzycka, Warszawa 2019, pp. 423 et al.

<sup>41</sup> See: A. Lis, *op. cit.*, pp. 39-59.

statutory activities, the amount of which depends on the number of members of the association, is also extremely important. It could be an interesting project to extend the law to the area outside the village, i.e. sister urban women's organisations, also focused on working for the local community, but not using the name 'The Rural Women's Associations'.

### Abbreviations:

RHA	– Rural Housewives' Associations
RWA	– Rural Women's Association
ARMA	– Agency for Restructuring and Modernisation of Agriculture
NCR	– National Court Register (KRS)
SRCR	– Simplified Revenue and Cost Records
VAT	– Value Added Tax
CIT	– Corporate Income Tax
REGON	– National Business Registry Number
NIP	– Tax Identification Number
PESEL	– Personal Identification Number

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#### SUMMARY

### **The Evolution and Legacy of the Legal Aspects of the Activities of the Rural Housewives' Clubs in Poland**

The Rural Housewives' Associations are one of the oldest forms of social organisations operating in Poland. The activities of the Rural Women's Associations have become increasingly visible in the public space of the Polish countryside. This was partly due to Poland's accession to the European Union, which resulted in an appreciation of the regions, increased investment in infrastructure and an influx of funds. The Rural Housewives' Clubs until 2018 were allowed to operate on the basis of: the Act of October 8, 1982 on socio-professional organisations of farmers, within the National Union of Farmers, Farmers' Associations and Agricultural Organisations, acting as independent agricultural associations or within their structures and the Associations Act of April 7, 1989, acting as associations and as unregistered, i.e. informal groups. Law on Associations, acting as associations and as unregistered, i.e. informal, groups. As of 2018, they operate pursuant to the Act of November 9, 2018 on Rural Women's Associations, the act which defines the forms and principles of voluntary association in Rural Women's Associations, the procedure for their establishment and organisation. The Rural Women's Associations have an important function in the rural environment. Following the 2018 amendment to the law, The Rural Women's Associations have legal personality and are able to apply for grants. They support the integration of local communities, cultivate folk culture, develop rural women's entrepreneurship and undertake activities for rural communities.