**RULES AND REGULATIONS**

**OF THE “MADAMA BUTTERFLY” MASS EVENT**

**AT THE PLAC DEFILAD IN WARSAW**

Based on article 6 paragraph 3 in reference to article 8 paragraph 1 of the Law on Safety at Mass Events of March 20, 2009 (Journal of Laws No. 2017.1160) hereinafter referred to as the “Act”, the following Rules and Regulations (hereinafter referred to as the “Rules”) shall be introduced:

**Section I - Scope of the Rules and Regulations  
§ 1**

The Rules apply to the **MADAMA BUTTERFLY G. PUCCINI** concert (hereinafter referred to as the “Concert” or “Event” or “Mass Event”) organized on 15 June 2019 on the provisions of the Act, the producer of which

is **Teatr Studio im. Stanisława Ignacego Witkiewicza, Plac Defilad 1, 00-901 Warszawa**

hereinafter referred to as the “Organizer”;

on the **Plac Defilad (Parade Square; main promenade, area around the flower bed)**

hereinafter referred to as “the Event Venue/Area”.

1. The Rules define the terms of participation and rules of behavior of persons, hereinafter referred to as the “Participants” of the Event, attending the “Concert”, including order provisions regulating:
2. entry of the Participant of the Event to the Concert;
3. obligations of the Participant of the Event;
4. prohibitions that the Participant of the Event must respect;
5. rights of the Participant of the Event;
6. rules for making personal data available and its processing;
7. rules of liability of persons, including the Participants of the Event, for behavior conflicting with the applicable legal order, including – consequences resulting from a breach of the provisions of these Rules.
8. The provisions of the Rules must be respected by all Participants of the Event. The regulations included in the Rules do not violate the provisions of a higher order.
9. All Participants of the Event must behave in a way that does not threaten the safety of other Participants and persons staying at the Event Venue and, above all, they must comply with the provisions of the Rules and the law as well as immediately follow the instructions of the authorities and services indicated in section §1 paragraph 4 of the Rules.
10. The Organizer, in relation to the requirements of the Act and the resulting obligation to ensure the security of the Event throughout its duration, appoints:
11. safety manager – understood as a person appointed by the Organizer, representing the Organizer in the aspect of ensuring safety of the Mass Event Participants;
12. information service – understood as persons being subordinate to the safety manager, appointed by the Organizer;
13. security service – understood as persons being subordinate to the safety manager, appointed by the Organizer, entered in the list of qualified security personnel, referred to in article 26 of the Protection of Persons and Property Act of August 22, 1997.

**Section II - Entry and participation in the Concert**

**§ 2**

1. Granting the permission to enter the Event Venue/Site and to stay there remains within the responsibility of the Organizer, who realizes the authority through the safety manager and subordinate employees of security and information services, who are properly indicated, what includes identifiers issued by the Organizer of the Mass Event, placed in a visible place. In situations specified in separate regulations, binding instructions for the Participant of the Event may also be issued by the Police, State Fire Service, Border Guard, Military Gendarmerie and, if necessary, representatives of other authorized services and organs.
2. Enter and then stay in the area of the Event Venue/Site can only the person who:
3. is not under visible influence/effect of alcohol;
4. is not under the influence of narcotic, psychotropic substances or other substances having similar effects;
5. does not violate the law and the provisions of the rules of the facility and the Rules of the Event;
6. has the documents listed in paragraph 3;
7. was not issued any legally valid prohibition to participate in mass events;
8. is on the list authorized by the Organizer's authorities;
9. is 13 years of age or will stay at the Mass Event under the supervision of a legal guardian, who is fully responsible for that person.
10. In accordance with the requirements of the Act, the documents issued by the Organizer that entitle to enter and stay at the Event Venue/Site include, i.e.:  
    - Event single entry ticket, along with an identity document;  
    - invitation or other document, the content of which entitles the person to enter and stay at the Mass Event.

**Section III – Obligations of the Participant of the Concert**

**§ 3**

1. The Participant of the Event is obliged to:
2. have with him or her and show at every request of the Organizer's services the document entitling him or her to enter the Event Venue/Site and have with him or her the identity document;
3. behave in accordance with the rules of social coexistence, including not threatening the safety of other persons present at the Concert – respecting the provisions of the Rules of the Event Venue/Site and the Concert;
4. comply with the decisions and orders of the safety manager, information and security services appointed by the Event Organizer and the announcer; and in the case of an intervention of the Police, State Fire Service, Border Guard, Military Gendarmerie or employees of other authorized services and organs – to obey their orders.

**Section IV - Prohibitions that the Participant of the Event must respect  
§ 4**

1. At the Event Venue/Site and the Concert, it is forbidden to bring and carry:
2. dangerous objects, including especially weapons, including: firearms, melee, pneumatic, gas weapons and other, even when the person is entitled to possess it. The provision does not apply to Police officers and other authorized services and organs when performing their official duties;
3. explosives;
4. containers for spraying gas, caustic substances or dyes;
5. all kinds of knives, bats (including those used in sports games), poles and rods, objects made of metal (especially: tubes, screws, nails, bearing elements, etc.) and other items the possession of which is not prohibited by law but their nature can be used for illegal acts, such as flag and banner poles, umbrellas, etc.;
6. pyrotechnic articles, including: fireworks, luminous balls, flares and other similar objects and all types of potentially fire-hazardous materials;
7. laser devices;
8. bottles, mugs, jugs or cans made of hard material, including plastic bottles;
9. items that can be used to change the appearance of a person and, consequently, make it impossible or difficult to identify them;
10. objects producing noise that is disproportionate to the circumstances, including especially all power-operated instruments and vuvuzelas,
11. the following substances and drinks:
12. alcohol;
13. intoxicants, psychotropic or other substances having similar effects;
14. professional cameras and camcorders;
15. boxes, bags, backpacks, suitcases and other items larger than 25 cm x 25 cm x 25 cm;
16. large amounts of toilet paper, paper towels in rolls and other types of paper or materials in rolls;
17. objects, materials, clothes whose purpose is advertising and illegal promotion or which contain advertising of entities with which the Organizer is not bound by separate contracts or agreements.
18. During the Concert it is forbidden to:
19. use objects that make it possible to change the appearance of a person, and, consequently make it impossible or difficult to identify them;
20. use offensive language, including preaching and displaying obscene, vulgar and racist content;
21. call for feuds, including those of national, religious, social and similar characteristics;
22. throw objects;
23. drink alcohol in places not intended and not designated by the Organizer;
24. use narcotic or psychotropic substances;
25. stand continuously in seating sectors;
26. ignite and fuel fire, what includes smoking outside the designated areas;
27. fire up fireworks, using pyrotechnics, etc.;
28. deal with physiological needs in places other than toilets;
29. litter the Event Venue/Site;
30. destroy the infrastructure of the Event Venue/Site;
31. unjustifiably occupy the area of exits, entrances and escape routes.
32. It is forbidden, without the written consent of the Organizer to: walk in with, bring and transport in a vehicle animals to the Event Site.
33. Entry and stay at the Event Venue/Site shall be denied to persons who:
34. do not have a valid document entitling them to enter and stay at the Concert, including an identity document;
35. do not comply with acts performed according to the Act, including:
36. checking entitlement to attend the Mass Event;
37. verification of the identity documents to establish identity;
38. searching the baggage and clothing – in the case of a suspicion that a person brings into the Event Venue or is in the possession of the objects that must not be brought to the Event;
39. do not comply with order issued on the basis of the Rules of the Event Venue/Site and Concert;
40. are under visible influence of:
41. alcohol;
42. intoxicants, psychotropic or other substances having similar effects;
43. are under the age of 13 and are staying at the Event Venue/Site without a legal guardian;
44. behave aggressively, provocatively or in other ways pose a threat to the safety or order of the Concert;
45. are impossible or difficult to identify due to their appearance, make-up, clothing or behavior;
46. are in the possession of emblems, pennons, flags, banners, paintings or inscriptions on clothing or on body – with content prohibited by common law or the Rules of the Organizer, including incitement to racial, religious or other hatred, who expose flags, banners, etc. inconsistent with the relevant provisions of common law or Rules of the Organizer in this scope;
47. are subject to a valid court decision regarding the ban on admission to a mass event, obliging to abstain from staying at places where mass events take place, issued to the convicted person in connection with conditional suspension of imprisonment or to a minor pursuant to article 6 paragraph 2 of the Act of October 26, 1982 on the Proceedings in Juvenile Cases;
48. are in the database kept by the Police pursuant article 37 paragraph 2 of the Act.
49. It is forbidden to enter the area or places not intended for the public. The prohibition concerns in particular: the stage and each of its elements, both constructional parts and equipment, entering or passing through buildings and devices not intended for general use, especially facades, fences, walls, barriers, roofs of the Event Venue/Site, lighting devices, camera platforms, trees, all types of poles and other places, devices and rooms to which only specialist services or the representatives of the Event Organizer have access.
50. The security and information services are entitled to:
51. check and confirm the persons’ right to participate in the Mass Event, and in the case of the lack of such right – request that the Participants leave the Event;
52. check the identity documents of the Participants in order to establish their identity;
53. search the baggage and clothing in the case of a suspicion that a person brings into the Event Venue or is in the possession of the objects that must not be brought to the Event, as indicated in section §4 paragraph 1-3 of these Rules;
54. give disciplinary orders to the Participants who disturb public order or behave contrary to the Rules, and in the event of failure to carry out such orders, request that they leave the Event;
55. detain, for the purpose of immediate delivery to the Police, the Participants who pose a direct threat to property with which the Event security services were entrusted and persons committing prohibited acts.
56. In order to enforce the behavior required by law in accordance with the order issued by the above-mentioned services or in order to repel direct, unlawful attacks on life, health or freedom of the above services or another person, in accordance with article 11 subparagraph 1 and 2 of the Act of May 24, 2013 on Means of Direct Coercion and Firearms, security services may use means of direct coercion in the form of: the use of physical force in the form of delivery and defense techniques, the use of handcuffs, and the use of lachrymatory agents in the form of manual sprays of incapacitating substances (i.e. the means indicated in article 12 paragraph 1 subparagraph 1 point a and b, subparagraph 2 point a, and subparagraph 12 point a of the above-mentioned Act).
57. The above-mentioned actions shall be performed in a manner that respects human dignity and other personal goods of the person in relation to whom they are taken.

**Section V - Participant's rights  
§ 5**

1. The Participant of the Event has the right to:
2. stay on the Event Venue/Site during the Concert, i.e. from the moment the Event Venue/Site is made available by the Organizer until the end of the Concert;
3. participate in the Concert in an unhampered manner expressing his or her emotions, which is limited only by the necessity to comply with general legal regulations, principles of social coexistence and those described in these Rules;
4. the information about:
5. location of medical, gastronomic and sanitary points;
6. amenities and security requirements specified by the Organizer or emergency services;
7. use devices, including hygienic and sanitary facilities, which are made available for general use in a manner consistent with their intended use;
8. get medical help.
9. The participant of the event is entitled to:
10. notify the Organizer's representatives, e.g. the safety manager, of the damage suffered by him – during and on the Site of the Event;
11. file complaints;
12. demand from the Organizer the reimbursement of costs incurred by the Participant in the event of unused documents entitling him or her to enter the Event Venue/Site due to fault or reasons dependent on the Organizer.
13. All complaints, comments and requests in matters related to the participation in the Event may be submitted within 14 days from the day of the Event ending, in particular in writing form, to the following correspondence address: Biuro Festiwalowe Impart 2016 Komuny Paryskiej 39–41, 50-451 Wrocław. The Organizer handles complaints within 14 days from the date of their delivery to the Organizer.

**Section VI - Personal data**

**§ 6**

1. By entering the area of the Event and participating in the Concert, the Participant of the Event gives an automatic consent for the Organizer to process, as the Administrator, personal data, personal data necessary to comply with the requirements of the Act. The collection and processing of information related to the security of mass events takes place in order to prevent and fight crimes and offenses related to these events.
2. The data referred to in paragraph 1 may be made available to other entities cooperating with the Organizer.
3. The data referred to above shall be processed for no more than two years from the end of the Concert.
4. Entering the Event Venue by the Event Participant is considered a simultaneous acceptance of recording, use and distribution of his or her image in connection with the production, presentation, advertising or use of each film, video and audio recording or photographs of the Concert and/or each element of the Concert presented in media coverage around the world. This consent concerns both recording the course of the Event in connection with ensuring its security in accordance with the Act (in particular, video surveillance recordings) and recording by the Organizer or entities cooperating with the Organizer for purposes not directly related to ensuring the security of the Event (in particular, for the purpose of television and website broadcasting, archive retransmission, etc.). The Organizer may use such a recording or its fragment, including presenting the image of the Participant or other person staying at the Event Venue, without time and territorial limitations, without the obligation to pay remuneration for the use of the image, on all areas of exploitation specified in article 50 of the Act on Copyright and Related Rights, in particular by its recording, reproduction, circulation and dissemination in any form, including, in particular, the Internet, social media (non-exclusive license) for the above purposes. The Organizer is entitled to grant sub-licenses and to perform and authorize the exercise of copyright dependent rights to the above-mentioned recordings.

**Section VII - Final provisions**

**§ 7**

1. The Participant of the Event who stays in the part of the Event Venue/Site intended for a group of the Participants to which he or she does not belong to – may be directed to the appropriate part of the Event Venue/Site, and in a situation justified by security reasons – asked to leave the Event Venue/Site.
2. Commercial, gastronomic, and artistic services and activities, including broadcasts, radio and television recordings, filming and taking pictures on the Event Venue/Site can be done only with the Organizer's written consent.
3. The Organizer has the right to cancel the Event without prior notice, for reasons the organizer is not responsible for (e.g. cancellation of the performance by the artist, Force Majeure, etc.), in particular, the Organizer is not responsible for the cancellation of the event by public authorities on the basis of generally applicable laws.
4. The organizer has the right to change the date, place and program of the Event due to important reasons (i.e. in particular, the announcement of national mourning, unfavorable weather conditions preventing the Event from taking place, illness, indisposition or refusal to perform the Concert by the artist, or other objective reason that prevent the Event from taking place and which are beyond the control of the Organizer, and in the event where the change is caused by the need to ensure safety, health or life of persons or property, or the need to ensure undisturbed and comfortable for the participants course of the Event.
5. In the event of bad weather conditions not preventing the Event from taking place, the Concert will not be canceled before its planned start.
6. In the event of weather conditions referred to in paragraph 5 make it impossible to perform the Concert and therefore it is canceled before its beginning or the ending of part 1, the ticket holders will have the right for the reimbursement of the ticket price.
7. In the event of canceling the Concert after part 1, the ticket holders will not be entitled to return the tickets or to obtain any compensation.
8. In exceptional situations (e.g. illness of the artist) the Organizer reserves the right to change the performer. In this case, the ticket holders are not entitled to return the tickets.
9. If the ticket holder has the right to return it with the return of the amount the ticket price, he or she should apply for a refund at the place where the ticket was purchased, 7 days after receiving information about the cancellation of the Concert, and in the event of changing the date, place or program, at the latest 12 hours before the start of the Event. After this date, the refund of the ticket price is not due. Detailed rules for refunding the prices of tickets are provided by the regulations of ticket sales.
10. The organizer is not responsible for the effects of Force Majeure. As Force Majeure considered are the events that are beyond the control of the Organizer, which cannot be prevented or avoided, and which make the performance of the obligations impossible, or that it can be considered impossible due to the circumstances. Force Majeure is, in particular, the artist's indisposition, failures or disruptions in the operation of devices supplying electricity, heat, light, or warfare or actions of state or local authorities, natural disasters, floods, fires, earthquakes, epidemics, general strikes, riots and other circumstances beyond the control of the Organizer.
11. The Organizer informs that the Event Participant or other person staying at the Event Venue will stay constantly in the loud noise zone, which may cause hearing damage. Therefore, it is recommended to use hearing protection headphones by children and people with high hearing sensitivity.
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**§ 8**

1. Persons violating the applicable law standards, and in specific cases the provisions of these Rules, shall be subject to detention and immediate delivery to the appropriate services. Such persons are not entitled to a refund of costs for purchased documents entitling them to enter the Concert. The Organizer informs that pursuant to article 54-56 of the Act he or she who does not carry out an order issued by security or information services on the basis of the Act, Rules of the Event Venue/Site or rules or mass event regulations, or who stays in a place not intended for the public, and who does not carry out an order issued by the Police or Military Gendarmerie, in the place and during a mass event, and whoever brings or holds alcoholic beverages at a mass event, is subject to restriction of liberty or a fine not lower than PLN 2,000. In accordance with article 59 of the Act he or she who brings or holds weapons at a event, within the meaning of the Act of 21 May 1999 on Arms and Ammunition (Journal of Laws of 2012 item 576), pyrotechnic articles, fire-hazardous materials or other dangerous objects, or explosives, is subject to a fine of not less than 180 daily rates, detention or imprisonment from 3 months to 5 years.
2. For violation of the provisions of these Rules a court ban on entering mass events, referred to in the Act, may be imposed on the Participant of the Event.

# § 9

1. The course of the Concert and, in particular, the behavior of the persons participating in it, is subject to registration by the Organizer with the help of video and sound recording devices.
2. The materials collected during the recording of the Concert, which may constitute evidence allowing the initiation of criminal proceedings or code of procedure in cases of petty offences, or evidence significant in such proceedings, will be immediately forwarded to the relevant services, in justified cases including an application for punishment.
3. The recording of the Concert is kept for a period of three months from the day it ends – after this time it is subject to a commission destruction, of which a report is prepared. However, the official destruction concerns only those materials that directly served to ensure the security of the Event in accordance with the Act and not other materials recorded by the Organizer or cooperating entities, in particular, but not exclusively, for the purpose of broadcasting or retransmitting the Concert, for commercial purposes as well for documentation and archiving purposes.

# § 10

1. The Organizer reserves the right to:
2. pursue claims for damage caused by the Participant, including violation of the Organizer’s good image;
3. cancel the document entitling to enter the Event Venue/Site in accordance with the provisions of applicable law.

# § 11

1. The Rules are available on the websites: www.teatrstudio.pl and www.madamabutterfly.pl, at the Organizer's office, and directly before and during the Event also before the entrances to the Event.
2. In matters not covered by the Rules, the provisions of generally applicable Polish law shall apply, in particular the provisions of the Act.
3. The Rules come into force on the day of announcement and are valid until the Organizer officially ends the Event.