Prepared by on basis: i.e. Journal of Laws of 2025, item 163, 340, 368, 620, 680, 1022, 1180, 1301, 1302, 1366.

ACT

of 26 July 1991

on personal income tax

Chapter 1

Subject and object of taxation

Art. 1. The Act regulates the taxation of personal income and the solidarity levy.

Art. 1a. 1. The Act also regulates the taxation of income from an inherited enterprise.

2. An inherited enterprise, constituting an organisational unit without legal personality, is a taxpayer on account of income earned in the period from the opening of the inheritance to the expiry of:

1) the succession management board or

2) the right to appoint a succession administrator, if succession management has not been established and the notification referred to in Article 12(1c) of the Act of 13 October 1995 on the rules for the registration and identification of taxpayers and payers has been made (Journal of Laws of 2024, items 375 and 1721).

3. In the event of the death of a natural person who is a partner in a civil law partnership, if succession management has been established, the taxpayer in respect of the share in that partnership in the period from the opening of the succession to the expiry of the succession management is the enterprise in succession, which for the purposes of the Act is treated as a partner in a civil law partnership.

Art. 2. 1. The provisions of the Act shall not apply to:

1) revenues from agricultural activities, except for revenues from specialised agricultural production;

special agricultural production;

2) revenue from forestry within the meaning of the Forest Act;

3) income subject to inheritance and gift tax regulations;

4) income resulting from activities that cannot be the subject of a legally effective contract;

5) income from the division of joint property of spouses as a result of the termination or limitation of marital joint property, and income from

equalisation of assets after the termination of the separation of property of spouses or the death of one of them;

6) income (revenues) of a shipping entrepreneur taxed under the rules set out in the Act of 24 August 2006 on tonnage tax (Journal of Laws of 2021, item 985), subject to Article 24a(1a);

6a) revenues taxed under the rules set out in the Act of 6 July 2016 on the activation of the shipbuilding industry and complementary industries (Journal of Laws of 2021, item 1704), subject to Article 24a(1a);

7) benefits to meet the needs of the family referred to in Article 27 of the Family and Guardianship Code, covered by the joint property of the spouses;

8) payments referred to in Article 27 of the Act of 5 July 2018 on succession management of a natural person's enterprise and other facilitations related to enterprise succession (Journal of Laws of 2021, item 170), hereinafter referred to as the "Act on Succession Management";

9) income resulting from settlements for energy generated by a renewable energy prosumer, a collective renewable energy prosumer and a virtual renewable energy prosumer, referred to in Article 4(11)(2) of the Act of 20 February 2015 on renewable energy sources (Journal of Laws of 2024, items 1361, 1847 and 1881).

2. Agricultural activity, within the meaning of paragraph 1(1), is an activity consisting in the production of plant or animal products in an unprocessed (natural) state from own crops or breeding or rearing, including the production of seed, nursery, breeding and reproductive material, open field vegetable production, greenhouse and plastic tunnel vegetable production, ornamental plant production, mushroom cultivation and fruit growing, breeding and production of germplasm of animals, birds and insects for commercial purposes, industrial and farm-type animal production and fish farming, as well as activities in which the minimum periods of keeping purchased animals and plants, during which their biological growth takes place, are at least:

1) one month – in the case of plants,

2) 16 days – in the case of high-intensity specialised fattening of geese or ducks,

3) 6 weeks – for other poultry for slaughter,

4) 2 months – for other animals – counting from the date of purchase.

3. The following are specialised branches of agricultural production : cultivation in greenhouses and heated plastic tunnels, cultivation of mushrooms and their mycelium, cultivation of plants "in vitro", farm breeding and rearing of poultry for slaughter and laying, poultry hatcheries, breeding and rearing of fur and laboratory animals, breeding of earthworms, breeding of entomophages, breeding of silkworms, apiculture and breeding and rearing of other animals outside the agricultural holding.

3a. The cultivation, breeding and rearing of animals in quantities not exceeding those specified in Annex 2 to the Act, referred to as "Annex 2", shall not constitute specialised agricultural production.

4. Whenever in the Act is reference is made refers to an , it means it is a farm within the meaning of the provisions of the Agricultural Tax Act.

5. (repealed)

6. In the absence of evidence to the contrary, it is assumed that the income derives from activities that may be the subject of a legally effective contract.

Art. 3. 1. Natural persons who are resident in the territory of the Republic of Poland are subject to tax on their total income (revenues) regardless of the location of the sources of income (unlimited tax liability).

1a. A natural person is considered to be a resident of the Republic of Poland if they:

1) has their centre of personal or economic interests (centre of vital interests) in the territory of the Republic of Poland, or

2) stays in the territory of the Republic of Poland for more than 183 days in a tax year.

2. (repealed)

2a. Natural persons who do not have their place of residence in the territory of the Republic of Poland are subject to tax liability only on income (revenues) earned in the territory of the Republic of Poland (limited tax liability).

2b. Income (revenue) earned in the territory of the Republic of Poland by taxpayers referred to in paragraph 2a shall be deemed to include, in particular, income (revenue) from:

1) work performed in the territory of the Republic of Poland on the basis of a service relationship, employment relationship, outwork relationship and cooperative employment relationship, regardless of the place of payment of remuneration;

2) activities performed personally in the territory of the Republic of Poland, regardless of the place of payment of remuneration;

3) economic activity conducted in the territory of the Republic of Poland, including through a foreign establishment located in the territory of the Republic of Poland;

4) real estate located in the territory of the Republic of Poland or rights to such real estate, including the sale of all or part of it or the sale of any rights to such real estate;

5) securities and derivative financial instruments other than securities, admitted to public trading in the Republic of Poland on a regulated stock exchange, including those obtained from the sale of such securities or instruments and from the exercise of rights arising therefrom;

5a) redemption, repurchase, buy-back and other destruction of participation titles in capital funds established under the provisions in force in the Republic of Poland and the sale of such participation titles for consideration;

6) transfer ownership shares (stocks) in a company, all rights and obligations in a company that is not a legal person or participation titles in an investment fund, collective investment institution or other legal person and rights of a similar nature or on account of receivables resulting from the possession of these shares (stocks), all rights and obligations, participation titles or rights – if at least 50% of the value of the assets of that company, company not being a legal person, that investment fund, that collective investment institution or legal person, directly or indirectly, constitute real estate located in the territory of the Republic of Poland or rights to such real estate;

6a) title to the transfer of ownership of shares, all rights and obligations, participation titles or similar rights in a real estate company;

7) titles of receivables, including those made available, paid or deducted, by natural persons , legal persons or organisational units

organisational units without legal personality, having their place of residence, registered office or management board in the territory of the Republic of Poland, regardless of the place of conclusion of the contract and performance of the service;

8) unrealised profits referred to in Article 30da.

2c. The value of assets referred to in paragraph 2b(6) shall be determined on the last day of the month preceding the month in which the revenue referred to in that provision was obtained. In the case of companies that are issuers of securities admitted to trading on a regulated market, the value of assets may be determined on the basis of balance sheet assets included in periodic reports published at the end of the last quarter preceding the calendar quarter in which the revenue was obtained.

2d. The income (revenues) referred to in section 2b(7) shall be deemed to be the revenues listed in section 29(1), unless they constitute the income (revenues) referred to in section 2b(1)-(6).

3. Members of the staff of diplomatic missions and consular offices and other persons enjoying diplomatic or consular privileges and immunities on the basis of agreements or generally recognised international customs, as well as members of their families living with them in the same household, if they are not Polish citizens and do not have permanent residence in the territory of the Republic of Poland.

4. The provision of paragraph 1 shall apply accordingly to an enterprise in inheritance if the deceased entrepreneur was subject to unlimited tax liability on the date of the opening of the inheritance.

5. The provision of paragraph 2a shall apply accordingly to an enterprise in inheritance if the deceased entrepreneur was subject to limited tax liability on the date of the opening of the succession.

Article 4. (repealed)

Article 4a. The provisions of Article 3(1), (1a), (2a) and (2b) shall apply taking into account double taxation agreements to which the Republic of Poland is a party.

Art. 5. For the purposes of this Act, the territory of the Republic of Poland shall also be deemed to include the exclusive economic zone located beyond the territorial sea, in which the Republic of Poland, on the basis of domestic law and in accordance with

under international law, exercises rights relating to the exploration and exploitation of the seabed and its subsoil and their natural resources.

Article 5a. Whenever the Act refers to:

1) investments – this shall mean fixed assets under construction within the meaning of the Accounting Act of 29 September 1994 (Journal of Laws of 2023, items 120, 295 and 1598, and
of 2024, items 619, 1685 and 1863), hereinafter referred to as the "Accounting Act";

2) assets – means to assets within the meaning of the Accounting Act less the acquired debts functionally related to the seller's business activity, unless these debts have been included in the purchase price referred to in Article 22g(3);

3) enterprise – this means an enterprise within the meaning of the provisions
Civil Code;

4) an organised part of an enterprise – this means a set of tangible and intangible components, including liabilities, which is organisationally and financially separate within an existing enterprise, intended for the performance of specific economic tasks, and which could at the same time constitute an independent enterprise performing these tasks on its own;

5) Tax Ordinance – this refers to the Act of 29 August 1997 – Tax Ordinance (Journal of Laws of 2023, items 2383 and 2760, and of 2024, items 879, 1685 and 1831);

6) economic activity or non-agricultural economic activity – this means gainful activity:
   a) manufacturing, construction, trade, services,
   b) consisting in the exploration, prospecting and extraction of minerals from deposits,
   c) involving the use of tangible and intangible assets
   and legal rights

   – conducted on one's own behalf, regardless of its outcome, in an organised and continuous manner, the income from which is not included in other income from the sources listed in Article 10(1)(1), (2) and (4)-(9);

7) the Act on Vocational Rehabilitation – this refers to the Act of 27 August 1997 on vocational and social rehabilitation and employment of persons with disabilities (Journal of Laws of 2024, items 44, 858, 1089, 1165, 1494 and 1961);

8) tax office – this means the tax office through which the head of the tax office competent for the taxpayer or payer performs his or her duties;

9) (repealed)

10) (repealed)

11) securities – this means securities referred to in Article 3(1) of the Act of 29 July 2005 on Trading in Financial Instruments (Journal of Laws of 2024, items 722 and 1863);

12) discount – means the difference between the amount obtained from the redemption of a security by the issuer and the expenses incurred to purchase the security on the primary or secondary market, and in the case of acquisition of a security by inheritance or donation – the difference between the amount obtained from the redemption and the expenses incurred by the testator or donor for the acquisition of that security;

13) derivative financial instruments – this means financial instruments, referred to in Article 2(1)(2)(c–i) of the Act of 29 July 2005 on trading in financial instruments;

14) capital funds – this means investment funds and foreign funds referred to in the provisions on investment funds, as well as insurance capital funds operating on the basis of the provisions on insurance and reinsurance activities, with the exception of pension funds referred to in the provisions on the organisation and operation of pension funds;

14a) alternative investment investment – means this an alternative investment company, referred to referred to in Article 8a of the of 27 May 2004 on investment funds and and the management of of funds investment funds (Journal of Laws of 2024, items 1034 and 1863);

15) the Act on Flat-Rate Income Tax – this refers to the Act of 20 November 1998 on flat-rate income tax on certain income earned by natural persons (Journal of Laws of 2024, items 776, 863 and 1593);

16) the Act on Public Benefit Activity – this refers to the Act of 24 April 2003 on Public Benefit Activity and Volunteer Work (Journal of Laws of 2024, items 1491, 1761 and 1940);

17) the Goods and Services Tax Act – this refers to the Act of 11 March 2004 on Goods and Services Tax (Journal of Laws of 2024, items 361, 852, 1473, 1721 and 1911);

18) the Public-Private Partnership Act – this refers to the Act of 19 December 2008 on public-private partnerships (Journal of Laws of 2023, item 1637);

18a) the Act on supporting thermal modernisation and renovation and on the central register of building emissions – this refers to the Act of 21 November 2008 on supporting thermal modernisation and renovation and on the central register of building emissions (Journal of Laws of 2024, item 1446, 1473, 1572, 1635 and 1940);

18b) single-family residential building – this means a single-family residential building within the meaning of Article 3(2a) of the Act of 7 July 1994 – Construction Law (Journal of Laws of 2024, items 725, 834, 1222, 1847 and 1881);

18c) thermal modernisation project – this means a thermal modernisation project within the meaning of Article 2(2) of the Act on supporting thermal modernisation and renovation and on the central register of building emissions;

19) (repealed)

19a) passenger car – means a motor vehicle within the meaning of road traffic regulations with a maximum permissible weight not exceeding 3.5 tonnes, designed to carry no more than 9 persons including the driver, with the exception of:

a) a motor vehicle with a single row of seats separated from the cargo area by a wall or permanent partition:
   – classified under traffic regulations as a sub-type: multi-purpose, van or
   – with an open section intended for the carriage of goods,

b) a motor vehicle with a driver's cab with a single row of seats and a body designed for the transport of goods as structurally separate parts of the vehicle,

c) a special vehicle, if the documents issued in accordance with road traffic regulations indicate that the vehicle is a special vehicle and if the conditions specified in separate regulations for the following purposes are also met:

– electric/welding generator,

– for drilling work,

– excavator, excavator-bulldozer,

– loader,

– lift for maintenance and assembly work,

– truck crane,

d) vehicles vehicle specified in the regulations issued pursuant to Article 86a(16) of the Goods and Services Tax Act;

20) small taxpayer – this means a taxpayer whose sales revenue (including the amount of tax due on goods and services) did not exceed, in the previous tax year, the amount expressed in PLN corresponding to the equivalent of EUR 2,000,000, and in the case of a business in succession, also the sales revenue of the deceased entrepreneur; amounts expressed in euros are converted at the average euro exchange rate announced by the National Bank of Poland on the first working day of October of the previous tax year, rounded to PLN 1,000;

21) certificate of residence – this means a certificate of the taxpayer's place of residence for tax purposes issued by the competent tax administration authority of the taxpayer's country of residence;

22) foreign establishment – this means:

a) a permanent establishment through which an entity resident in one country carries out all or part of its activities in another country, in particular a branch, representative office, office, factory, workshop or place of extraction of natural resources;

b) a construction site, construction, assembly or installation carried out in the territory of one country by an entity resident in the territory of another country,

c) a person who, on behalf and for the benefit of an entity resident in one country, acts in the territory of another country, if that person has the authority to conclude contracts on its behalf and actually exercises that authority.

– unless a double taxation agreement to which the Republic of Poland is a party provides otherwise; the Republic of Poland, provides otherwise;

23) the Act on Capital Pensions – this means the Act of 21 November 2008 on Capital Pensions (Journal of Laws of 2018, item 926);

23a) harvest assistance agreement – this means the harvest assistance agreement referred to in the Act of 20 December 1990 on social insurance for farmers (Journal of Laws of 2024, items 90, 1243, 1674 and 1871);

24) PKWiU – means the Polish Classification of Products and Services introduced by the Regulation of the Council of Ministers of 4 September 2015 on the Polish Classification of Products and Services (PKWiU) (Journal of Laws, item 1676, of 2017, item 2453, of 2018, item 2440, of 2019, item 2554 and of 2020, item 556);

25) the designation "ex" means that the scope of the listed products or services is narrower than that specified in the given PKWiU grouping;

26) a company that is not a legal person – this means a company other than that specified in point 28;

27) collective account – means a collective account within the meaning of the Act of 29 July 2005 on Trading in Financial Instruments;

28) company – means:

a) a company with legal personality, including a company established under Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE) (OJ EC L 294 of 10 November 2001, p. 1, as amended; OJ EU Polish Special Edition, Chapter 6, Volume 4, p. 251),

b) a capital company in organisation,

c) a limited partnership and a limited joint-stock partnership having its registered office or management board in the territory of the Republic of Poland,

d) a company without legal personality having its registered office or management in another country, if, in accordance with the tax laws of that other country, it is treated as a legal person and is subject to taxation in that country on its total income, regardless of where it is earned,

e) a general partnership which is a taxpayer of income tax from legal persons legal persons;

29) share (shares) – this also means all the rights and obligations of a partner in the company referred to in point 28(c)-(e);

29a) issue value of shares – this means the price at which shares are acquired, as specified in the articles of association or partnership agreement, and in the absence thereof –

in another document of a similar nature, not lower than the market value of those shares;

30) share capital – this also means the share capital of a simple joint-stock company and the share capital of the company referred to in point 28(c)-(e);

31) share in the profits of legal persons – this also means a share in the profits of companies, referred to in point 28(c) to (e);

31a) share in capital – this also means the ratio of the number of shares held by a shareholder in a simple joint-stock company to the total number of shares issued in a simple joint-stock company;

31b) nominal value of shares – this also means the issue price of shares in a simple joint-stock company;

32) acquisition of a share (shares) – this also means the acquisition by a partner in a company referred to in point 28(c)-(e) of all the rights and obligations of a partner in that company;

33) shareholder – this also means a shareholder;

33a) virtual currency – this also means a virtual currency within the meaning of Article 2(2)(26) of the Act on Counteracting Money Laundering and Terrorist Financing;

33b) Corporate Income Tax Act – means the Act of 15 February 1992 on corporate income tax (Journal of Laws of 2023, item 2805, as amended[1)]);

33c) the Act on Counteracting Money Laundering and Terrorist Financing – this refers to the Act of 1 March 2018 on Counteracting Money Laundering and Terrorist Financing (Journal of Laws of 2023, items 1124, 1285, 1723 and 1843 and of 2024, items 850 and 1222);

33d) beneficial owner – this means an entity that meets all of the following conditions:

a) receives the receivable for its own benefit, including deciding independently on its allocation and bearing the economic risk associated with the loss of the receivable or part thereof,

[1)] Amendments to the consolidated text of the aforementioned Act were published in the Journal of Laws of 2024, items 232, 854, 1222, 1572, 1585, 1593, 1685 and 1717.

b) is not an intermediary, representative, trustee or other entity obliged to transfer all or part of the receivables to another entity,

c) conducts actual economic activity in the country of residence, if the receivables are obtained in connection with the conducted economic activity, whereby the assessment of whether the entity conducts actual economic activity takes into account the nature and scale of the activity conducted by that entity in relation to the receivables obtained;

34) commercialised intellectual property – this means:

a) patent, supplementary protection certificate for an invention, protection right for a utility model, right arising from the registration of an industrial design or right arising from the registration of an integrated circuit topography, as well as the right to obtain the above rights or priority right – specified in the Act of 30 June 2000 – Industrial Property Law (Journal of Laws of 2023, item 1170),

b) copyrights to a computer programme,

c) the equivalent of documented knowledge (information) suitable for use in industrial, scientific or commercial activities (know-how),

d) rights to use the rights or values listed in points a–c on the basis of a licence agreement;

35) commercialising entity – this means the creator entitled to the rights or values listed in point 34(a)-(c), as well as to conclude the licence agreement referred to in point 34(d), if they contribute commercialised intellectual property to a capital company;

36) short selling – this means short selling within the meaning of Article 2(1)(b) of Regulation (EU) No 236/2012 of the European Parliament and of the Council of 14 March 2012 on short selling and certain aspects of credit default swaps (OJ EU L 86 of 24 March 2012, p. 1);

37) restructuring proceedings – this means restructuring proceedings within the meaning of the Act of 15 May 2015 – Restructuring Law (Journal of Laws of 2024, item 1428);

38) research and development activities – this means creative activities involving scientific research or development work, undertaken in a systematic manner

in order to increase knowledge resources and use knowledge resources to create new applications;

39) scientific research – this means:

a) basic research within the meaning of Article 4(2)(1) of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws of 2024, items 1571, 1871 and 1897),

b) applied research within the meaning of Article 4(2)(2) of the Act of 20 July 2018 – Law on Higher Education and Science;

40) development work – this means development work within the meaning of Article 4(3) of the Act of 20 July 2018 – Law on Higher Education and Science;

41) provisions on the education system – this means the provisions of the Act of 7 September 1991 on the education system (Journal of Laws of 2024, items 750, 854, 1473 and 1933), the provisions of the Act of 14 December 2016 – Education Law (Journal of Laws of 2024, items 737, 854, 1562, 1635 and 1933) or the provisions of the Act of 27 October 2017 on the financing of educational tasks (Journal of Laws of 2024, items 754, 1562 and 1572);

42) the Act on CEIDG – this means the Act of 6 March 2018 on the Central Register and Information on Economic Activity and the Information Point for Entrepreneurs (Journal of Laws of 2022, item 541 and of 2024, item 1841);

43) enterprise in succession – means means enterprise in succession within the meaning of the Act on Succession Management;

44) succession management – means succession management within the meaning of the Succession Management Act;

45) deceased entrepreneur – means a deceased entrepreneur referred to in in Article 1(1) of the Succession Management Act;

46) the Act on Employee Capital Plans – this refers to the Act of 4 October 2018 on Employee Capital Plans (Journal of Laws of 2024, item 427);

47) the Act on Counteracting Excessive Delays – this refers to the Act of 8 March 2013 on Counteracting Excessive Delays in Commercial Transactions (Journal of Laws of 2023, item 1790).

47a) seafarer – this means a seafarer within the meaning of the Act of 5 August 2015 on maritime labour (Journal of Laws of 2023, item 2257);

48) international shipping – means shipping between:

a) Polish ports and foreign ports, including between Polish ports, provided that shipping between Polish ports is part of a sea voyage to a foreign port,

b) Polish ports and destinations located outside
Polish territorial waters,

c) foreign ports,

d) places of destination located outside the border of the Polish territorial sea territorial waters,

e) foreign ports and destinations located outside the Polish territorial sea;

49) a real estate company – this means an entity other than a natural person, obliged to prepare a balance sheet on the basis of accounting regulations, in which:

a) on the first day of the tax year, and in the case of a real estate company that is not an income tax payer – on the first day of the financial year, at least 50% of the market value of the assets, directly or indirectly, constituted the market value of real estate located in the territory of the Republic of Poland or rights to such real estate, and the market value of such real estate exceeded PLN 10,000,000 or the equivalent of this amount determined according to the average exchange rate of foreign currencies announced by the National Bank of Poland on the last working day preceding the first day of the tax year – in the case of entities commencing operations,

b) as at the last day of the year preceding the tax year, and in the case of a real estate company that is not an income tax payer – as at the last day of the year preceding the financial year, at least 50% of the balance sheet value of assets, directly or indirectly, constituted the balance sheet value of real estate located in the territory of the Republic of Poland or rights to such real estate, and the balance sheet value of such real estate exceeded PLN 10,000,000 or the equivalent of this amount determined according to the average exchange rate of foreign currencies announced by the National Bank of Poland, on the last working day preceding the last day of the tax year preceding the tax year or financial year, respectively, and in the year preceding the tax year or financial year, respectively, revenues

taxes, and if the real estate company is not an income tax payer – revenues recognised in the net financial result from rental, subletting, lease, sublease, leasing and other similar agreements or from the transfer of ownership of real estate or rights to real estate referred to in Article 3(2b)(6) and from shares in other real estate companies, constituted at least 60% of the total tax revenue or revenue included in the net financial result, respectively – in the case of entities other than those specified in point (a);

50) family foundation – this means a family foundation and a family foundation in organisation, referred to in the Act of 26 January 2023 on family foundations (Journal of Laws, items 326 and 825);

51) the Act on OIPE – this means the Act of 7 July 2023 on the pan-European individual pension product (Journal of Laws, item 1843);

52) Regulation 2019/1238 – this refers to Regulation (EU) 2019/1238 of the European Parliament and of the Council of 20 June 2019 on a pan-European personal pension product (PEIP) (OJ EU L 198 of 25.07.2019, p. 1).

Article 5b. 1. Activities shall not be considered non-agricultural economic activities if all of the following conditions are met:

1) liability to third parties for the results of these activities and their performance, excluding liability for unlawful acts, is borne by the person commissioning the performance of these activities;

2) they are performed under the supervision and at the place and time designated by the person commissioning these activities;

3) the person performing these activities does not bear the risk of economic loss with the conducted activity.

2. If non-agricultural economic activity is conducted by a company that is not a legal person, the income of a partner from participation in such a company, determined on the basis of Article 8(1), shall be considered income from the source referred to in Article 10(1)(3).

Article 5c. (repealed)

Art. 5d. Compliance with the requirements for motor vehicles specified in:

1) Article 5a(19a)(a) and (b) shall be determined on the basis of an additional technical inspection carried out by a regional vehicle inspection station, confirmed by a certificate issued by that station, and a vehicle registration certificate containing an appropriate annotation confirming compliance with these requirements;

2) Article 5a(19a)(c) shall be determined on the basis of documents issued in accordance the provisions on road traffic.

Article 6. 1. Spouses are subject to separate taxation on their income.

2. Spouses subject to the tax obligation referred to in Article 3(1), who are married and in a joint property relationship:

1) throughout the tax year or

2) from the date of marriage until the last day of the tax year –

if the marriage was contracted during the tax year – may, subject to paragraph 8, upon joint request expressed in their tax return, be taxed jointly on the sum of their income determined in accordance with Article 9(1) and (1a), after each spouse has separately deducted the amounts reducing their income; in this case, the tax shall be determined in the name of both spouses in double the amount of the tax calculated on half of the spouses' total income.

2a. The request referred to in paragraph 2 may be made by one of the spouses. The expression of the request by one of the spouses shall be treated as equivalent to the submission by that spouse of a statement authorising him or her to submit a request for joint taxation of their income. This statement shall be made under penalty of criminal liability for false testimony.

3. The principle of " " expressed in paragraph 2 shall also apply if one of the spouses did not obtain income from sources taxable under Article 27 in the tax year or obtained income that did not give rise to a tax liability.

3a. The rules and methods of taxation referred to in paragraphs 2 and 3 shall also apply to:

1) spouses who are resident for tax purposes in a country other than Republic of Poland country Member State European Union European or

in another country belonging to the European Economic Area or

in the Swiss Confederation,

2) spouses, one of whom is subject to unlimited tax liability in the Republic of Poland and the other has their place of residence for tax purposes in a Member State of the European Union other than the Republic of Poland, or in another country belonging to the European Economic Area or in the Swiss Confederation

– if they have earned income taxable in the Republic of Poland in an amount constituting at least 75% of the total income earned by both spouses in a given tax year and have documented their place of residence for tax purposes with a certificate of residence; the provision of paragraph 8 shall apply accordingly.

4. (repealed)

4a. (repealed)

4b. (repealed)

4c. From the income of a single parent or legal guardian subject to the tax obligation referred to in Article 3(1) who is unmarried, widowed, divorced, divorced, a person who has been granted a legal separation within the meaning of separate provisions, or a person whose spouse has been deprived of parental rights or is serving a prison sentence, if that parent or guardian is raising the following children alone during the tax year:

1) minors,

2) of legal age who, in accordance with separate regulations, received a care allowance (supplement) or social pension,

3) of full age until the age of 25, studying at schools referred to in the provisions regulating the education system or higher education, in force in the Republic of Poland and in another country

– the tax may be determined in accordance with paragraph 4d upon request expressed in the annual tax return.

4d. In the case referred to in paragraph 4c, the tax shall be determined as double the amount of tax calculated on half of the income of a single parent, taking into account Article 7, whereby the sum of this income shall not include income (revenue) taxed on a lump-sum basis in accordance with the rules laid down in this Act.

4e. The provision of paragraph 4c(3) shall not apply if the child referred to in that provision obtained in the tax year:

1) income, except for a survivor's pension, taxable under the rules specified in Article 27 or Article 30b, or

2) income referred to in Article 21(1)(148) and (152)

– in a total amount exceeding twelve times the amount of the social pension specified in the Act of 27 June 2003 on social pensions (Journal of Laws of 2023, item 2194 and of 2024, item 1615), in the amount applicable in December of the tax year.

4f. The method of taxation referred to in paragraph 4d shall not apply to a person who is raising at least one child jointly with the other parent or legal guardian, including where the child is in alternating care, in connection with which both parents have been granted a child benefit in accordance with Article 5(2a) of the Act of 11 February 2016 on state assistance in raising children (Journal of Laws of 2024, item 1576).

4g. The method of taxation referred to in paragraph 4d shall also apply to persons referred to in Article 3(2a) who are single parents raising children specified in paragraph 4c in the tax year, taking into account paragraph 4e, if those persons meet all of the following conditions:

1) they are resident for tax purposes in a Member State of the European Union other than the Republic of Poland, or in another country belonging to the European Economic Area or in the Swiss Confederation;

2) they have earned income taxable in the Republic of Poland in an amount representing at least 75% of their total income earned in a given tax year;

3) have documented their place of residence for tax purposes with a certificate of residence tax purposes.

4h. The provisions of paragraphs 4c–4f and 8 shall apply to the taxpayers referred to in paragraph 4g , as appropriate.

5. (repealed)

6. (repealed)

7. (repealed)

8. The method of taxation referred to in paragraphs 2 and 4d shall not apply if at least one of the spouses, a single parent or their child:

1) applies the provisions of:

a) Article 30c or

b) the Act on flat-rate income tax, with the exception of Article 6(1a) of that Act

– with regard to income earned in the tax year, costs incurred to obtain income, obligations or rights to increase or decrease the tax base or income, obligations or rights to make other additions or deductions;

2) is subject to taxation under the rules set out in the Act of 24 August 2006 on tonnage tax or the Act of 6 July 2016 on the activation of the shipbuilding industry and complementary industries.

9. (repealed)

10. (repealed)

11. The total revenues referred to in paragraphs 3a and 4g shall be deemed to be revenues derived from the sources specified in Article 10(1), regardless of the location of those sources of revenue.

12. The provisions of paragraphs 3a and 4g shall apply provided that there is a legal basis under a double taxation agreement or other ratified international agreements to which the Republic of Poland is a party for the tax authority to obtain tax information from the tax authority of the country in which the natural person is resident for tax purposes.

13. At the request of the tax authorities, the taxpayers referred to in paragraphs 3a and 4g shall be required to document the total income earned in a given tax year by by presenting a certificate issued by the competent tax authority of a Member State of the European Union other than the Republic of Poland or another country belonging to the European Economic Area or the Swiss Confederation in which those persons are resident for tax purposes, or another document confirming the amount of total income earned in a given tax year.

Art. 6a. 1. An application for joint taxation of the income of spouses who had joint property in the tax year may also be submitted by a taxpayer who was married in the tax year and whose spouse died during the tax year or died after the end of the tax year before filing the tax return for that year.

2. Taxpayers who have submitted the application referred to in paragraph 1:

1) the method of taxation specified in Article 6(2) shall apply;

2) the provisions of Article 6(3), (3a), (8) and (11) to (13) shall apply;

3) (repealed)

4) the provisions of Article 6(4c) to (4h) shall not apply.

Article 7. 1. The income of minors of children of their own and adopted, with the exception of income from their work, pensions, scholarships and income from items given to them for free use, subject to taxation in the territory of the Republic of Poland, shall be added to the income of their parents, unless the parents are not entitled to receive benefits from the children's sources of income.

2. If the spouses are subject to separate taxation, the income of minor children shall be added in equal parts to the income of each spouse.

3. The provision of paragraph 2 shall not apply to spouses who have been granted a separation within the meaning of separate provisions.

Article 7a. 1. The income of an inherited enterprise shall be considered income from the source referred to in Article 10(1)(3).

2. The establishment of an enterprise in inheritance shall not be treated as the commencement of economic activity.

3. The expiry of the following shall be tantamount to the liquidation of business activity:

1) succession management or

2) the right to appoint a succession administrator – if succession management has not been established and the notification referred to in Article 12(1c) of the Act of 13 October 1995 on the rules for the registration and identification of taxpayers and payers has been made.

4. The income of an inherited enterprise is all income related to the activities carried out by that enterprise, including in the form of a civil law partnership. Income also includes income from the sale of assets forming part of the inherited enterprise, regardless of when they were acquired by the deceased entrepreneur, with the exception of assets

whose initial value determined in accordance with Article 22g does not exceed PLN 1,500. In this case, the provision of Article 14(2c) shall not apply.

5. The estate company shall draw up a list of the assets of the estate company as at the date of the opening of the succession. The list shall contain at least the following information: serial number, description (name) of the asset, the date of acquisition of the asset by the deceased entrepreneur, the amount of expenses incurred by the deceased entrepreneur for the acquisition of the asset and the amount of expenses incurred for its acquisition included in tax-deductible costs, as well as the initial value, depreciation method and total depreciation write-offs.

6. The tax office competent in matters of income tax on the inherited enterprise is the tax office through which the head of the tax office competent in matters of income tax on the deceased entrepreneur performs his duties.

7. An inherited enterprise may include in its tax-deductible costs the costs incurred by the deceased entrepreneur in connection with his business activity, which, in accordance with the Act, would be deductible in the reporting periods following the entrepreneur's death.

Art. 8. 1. Income from participation in a company that is not a legal person, from joint ownership, joint venture, joint possession or joint use of property or property rights for each taxpayer shall be determined in proportion to their right to share in the profit (share) and, subject to paragraph 1a, shall be combined with other income from sources whose income is taxable according to the scale referred to in Article 27(1). In the absence of evidence to the contrary, it shall be assumed that the rights to share in the profit (share) are equal. 1a. Income from non-agricultural economic activity referred to in in Article 10(1)(3), or special sections of agricultural production referred to in Article 10(1)(4), earned by taxpayers taxed according to the rules specified in Article 30c, shall not be combined with other income from sources whose income is taxed according to the scale referred to in Article 27(1).

2. The rules set out in paragraph 1 shall apply accordingly to:

1) the settlement of tax-deductible costs, non-tax-deductible expenses and losses;

2) tax reliefs related to business activities conducted in the form of a company that is not a legal person.

3. (repealed)

4. (repealed)

5. (repealed)

6. (repealed)

7. (repealed)

8. (repealed)

9. The rules referred to in paragraphs 1 and 2 shall not apply during the period of operation of an enterprise which includes the share of the deceased spouse of the taxpayer managed by a temporary representative under the Succession Management Act.

10. In the case referred to in paragraph 9, the entire income from the operation of that enterprise shall be taxable solely by the surviving spouse, excluding the rights to share in the profits of the purchasers of the deceased spouse's share. In this case, for income tax purposes, the surviving spouse is deemed to be the owner of the entire enterprise, including the deceased spouse's share and other assets of the enterprise acquired during that period, in particular with regard to the settlement of tax-deductible costs, non-tax-deductible expenses, tax exemptions and reliefs, and reductions in income, tax base or tax.

Art. 9. 1. All types of income are subject to income tax, with the exception of the income listed in Articles 21, 52, 52a and 52c and income from which tax collection has been waived under the provisions of the Tax Ordinance.

1a. If a taxpayer derives income from more than one source, the subject of taxation in a given tax year shall be, subject to Articles 25e, 29–30cb, 30da–30dh, 30e–30g, Articles 30j–30p and Article 44(7e) and (7f), the sum of income from all sources of revenue.

2. Income from a source of revenue, unless the provisions of Articles 23o, 23u, 24–24b, Article 24c, Article 24e, Article 30ca, Article 30da and Article 30f do not provide otherwise, is the surplus of the sum of revenues from that source over the costs of obtaining them achieved in the tax year. If the costs of obtaining them exceed the sum of revenues, the difference is a loss from the source of income.

3. The amount of the loss from the source of income incurred in the tax year the taxpayer may:

1) reduce the income obtained from this source in the next five consecutive tax years that the amount of the reduction in any of these years may not exceed 50% of the amount of this loss, or

2) reduce the income obtained from this source on a one-off basis in one of the following subsequent following five years tax by an amount not exceeding PLN 5,000,000, not deducted amount shall be settled in the remaining years of this five-year period, provided that the amount of the reduction in any of these years may not exceed 50% of the amount of this loss. 3a. The provision of paragraph 3 shall not apply to losses:

1) from the sale of property and property rights referred to in Article 10(1)(8);

2) from the sale of virtual currencies;

3) from unrealised gains referred to in Article 30da;

4) from sources of income that are exempt from income tax,
with the exception of losses:

   a) from the sale of shares referred to in Article 21(1)(105a),

   b) related to the income referred to in Article 21(1)(152)(c), (153)(c) and (154) in respect of income from non-agricultural economic activity.

3b. The income of an inherited enterprise achieved in a tax year may be reduced, in accordance with the rules set out in paragraph 3, by the amount of the loss incurred and not deducted by the deceased entrepreneur.

4. The provision of paragraph 3 shall apply to losses from special types of agricultural production if the income from special types of agricultural production for the next five consecutive tax years is determined on the basis of the books.

5. The provision of paragraph 3 shall apply accordingly if, during the period referred to in this provision, the taxpayer is taxed according to the rules specified in Chapter 2 of the Act. on flat-rate income tax. In this case, the income referred to referred to in Article 6(1), (1a) and (1d) of the Act on Flat-Rate Income Tax .

6. The provision of paragraph 3 shall apply to losses:

1) from the sale of shares in a company, shares in a cooperative, securities, including the sale of securities on a regulated market as part of short selling;
2) from the sale of derivative financial instruments;
3) from the exercise of rights arising from securities and derivative financial instruments;
4) from the acquisition of shares in a company or contributions to a cooperative in exchange for for a non-monetary contribution;
5) from the cancellation, repurchase, redemption or other destruction of participation in capital funds.

Art. 9a. 1. Income earned by taxpayers from the source referred to in Art. 10(1)(3) shall be taxed in accordance with the rules set out in Art. 27, subject to paragraphs 2 and 3, unless taxpayers submit to the competent head of the tax office a written statement on the application of lump-sum taxation on recorded income specified in the Act on lump-sum income tax.

2. Taxpayers may choose the method of taxation of income from non-agricultural economic activity in accordance with the rules set out in Article 30c. In this case, they are required to submit a written statement to the competent head of the tax office on the choice of this method of taxation by the 20th day of the month following the month in which the first income from this source was earned in the tax year, or by the end of the tax year if the first such income was earned in December of that tax year.

2a. A taxpayer may notify in writing of their resignation from taxation of income from non-agricultural business activity on the terms specified in Article 30c or submit a statement on the choice of taxation in the form of a lump sum on recorded income before the deadline referred to in paragraph 2.

2b. The choice of taxation method referred to in paragraph 2 shall also apply to subsequent years, unless in subsequent years the taxpayer, within the time limit specified in paragraph 2, notifies the competent head of the tax office in writing of their resignation from this method of taxation or submits, within the time limit and on the terms specified in the Act on flat-rate income tax, a written statement on the choice of taxation in the form of a lump sum on recorded income.

2c. Taxpayers may submit the declaration and notification referred to in paragraphs 1-2b on the basis of the provisions of the Act on CEIDG.

3. If a taxpayer who has chosen the method of taxation referred to in paragraph 2 obtains income from the provision of services to a former or current employer, corresponding to activities which the taxpayer or at least one of the partners:

1) (repealed)

2) performed or performs in the tax year

– under an employment relationship or cooperative employment relationship, the taxpayer loses the right to be taxed in the manner specified in Article 30c in the tax year and is obliged to pay advance payments on income earned since the beginning of the year, calculated using the tax scale referred to in Article 27(1), and interest on arrears on these advance payments.

4. (repealed)

4a. If the income of a deceased entrepreneur in the tax year in which he died was taxed in the manner referred to in paragraph 2, the inherited enterprise shall be obliged to apply this method of taxation until the end of that tax year.

5. If the taxpayer:

1) conducts business activity independently and is a partner in a company that is not a legal person,

2) is a partner in a company that is not a legal person

– the choice of taxation method referred to in paragraph 2 applies to all forms of conducting this activity to which the provisions of the Act apply.

6. Income earned by taxpayers from the source referred to in Article 10(1)(6) shall be taxed in the form of a lump sum on recorded income, in accordance with the rules laid down in the Act on lump sum income tax.

7. Taxpayers who determine income from the source referred to in Article 10(1)(4) on the basis of their books may choose the method of taxation of such income in accordance with the rules laid down in Article 30c. In this case, they are required to submit a written statement on the choice of this method of taxation to the competent head of the tax office within the time limit referred to in paragraph 2. Within the same time limit, taxpayers may notify the competent head of the tax office in writing

the competent head of the tax office in writing of their resignation from this method of taxation. The provision of paragraph 5 shall apply accordingly.

8. The choice of taxation method made in the declaration referred to in paragraph 7 shall also apply to subsequent years, unless in subsequent years the taxpayer notifies the competent head of the tax office in writing within the time limit specified in paragraph 2 of his resignation from this method of taxation.

9. (repealed)

Chapter 2

Sources of income

Article 10. 1. Sources of income are:

1) employment relationship, employment relationship, including cooperative employment relationship, membership in an agricultural production cooperative or other cooperative engaged in agricultural production, outwork, retirement pension or disability pension;
2) activities performed personally;
3) non-agricultural economic activity;
4) special types of agricultural production;
5) (repealed)
6) rental, subletting, lease, sublease and other similar agreements, including the lease and sublease of specialised agricultural production and agricultural holdings or their components for non-agricultural purposes or for the pursuit of specialised agricultural production, with the exception of assets related to economic activity;
7) monetary capital and property rights, including the sale of property rights other than those listed in points 8(a) to (c);
8) the sale, subject to paragraph 2:
   a) real estate or parts thereof and shares in real estate,
   b) cooperative ownership rights to residential or commercial premises and rights to a single-family house in a housing cooperative,
   c) perpetual usufruct rights to land,
   d) other items,

   – if the sale is not carried out in the course of business and was made in the case of the sale of real estate and property rights specified in points a–c – within five years from the end of

the calendar year in which the acquisition or construction took place, and other items – within six months from the end of the month in which the acquisition took place; in the case of an exchange, these periods apply to each person involved in the exchange;

8a) activities conducted by a foreign controlled entity;

8b) unrealised gains referred to in Article 30da;

9) other sources.

2. The provisions of paragraph 1(8) shall not apply to the sale for consideration of:

1) on the basis of a transfer of ownership agreement for the purpose of securing a claim, including a loan or credit – until the final transfer of ownership of the subject of the agreement;

2) in the form of a non-cash contribution to a company or cooperative of current assets, fixed assets or intangible assets;

3) assets referred to in Article 14(2)(1), subject to paragraph 3, even if they were withdrawn from business activity prior to disposal, and less than six years have elapsed between the first day of the month following the month in which the assets were withdrawn from business activity and the date of their disposal for consideration;

4) assets referred to in Article 14(2)(19), even if they were withdrawn from business activity prior to disposal and less than six years have elapsed between the first day of the month following the month in which the assets were withdrawn from business activity and the date of their disposal for consideration.

3. The provisions of paragraph 1(8) shall apply to the sale for consideration of the following items used for business purposes and in the conduct of special agricultural production: a residential building, part thereof or a share therein, a residential premises constituting a separate property or a share therein, land or a share therein, or the right of perpetual usufruct of land or a share therein, related to that building or premises, cooperative ownership right to a residential premises or a share in such a right, and the right to a single-family house in a housing cooperative or a share in such a right.

4. Revenues from the exercise of rights attached to securities referred to in Article 3(1)(b) of the Act of 29 July 2005 on Trading in Financial Instruments, or from derivative financial instruments, obtained as a result of the acquisition or acquisition of these rights as benefits in kind or free of charge

benefit, are included in the source of income from which the benefit in kind or free-of-charge benefit was obtained.

5. In the case of the sale of real estate or property rights acquired by inheritance, as specified in paragraph 1(8)(a)-(c), the period referred to in that provision shall be counted from the end of the calendar year in which the real estate was acquired or built or the property right was acquired by the testator.

6. In the case of a sale for consideration after the termination of the joint property regime, of real estate acquired as joint property of the spouses or built during the joint property regime, or of property rights acquired as joint property of the spouses, as specified in paragraph 1(8)(a)-(c), the period referred to in this provision shall be counted from the end of the calendar year in which they were acquired for the joint property of the spouses or built during the joint property of the spouses.

7. The acquisition or sale for consideration referred to in paragraph 1(8)(a)-(c) shall not include the acquisition or sale for consideration, by way of division of an estate, of real estate or property rights specified in paragraph 1(8)(a)-(c), up to the amount of the taxpayer's share in the estate.

Art. 11. 1. Subject to Articles 14–15, Article 17(1)(6), (9), (10) in relation to the exercise of rights arising from derivative financial instruments, (11), Article 19, Article 25b, Article 30ca, Article 30da and Article 30f, shall be money and monetary values received or made available to the taxpayer in a calendar year, as well as the value of benefits in kind and other gratuitous benefits received.

1a. With regard to a controlled transaction within the meaning of Article 23m(1)(6), the provision of paragraph 1 shall apply taking into account Article 23o.

2. The monetary value of benefits in kind, subject to paragraph 2c and Article 12(2)-(2c), shall be determined on the basis of market prices applied in the trade in goods or rights of the same type and kind, taking into account, in particular, their condition and degree of wear and tear, as well as the time and place of their acquisition.

2a. The monetary value of other free benefits shall be determined:

1) if the benefit consists of services falling within the scope of the economic activity of the provider – according to the prices applied to other recipients;

2) if the subject of the services are purchased services – according to the purchase price;

3) if the subject of the services is the provision of premises or a building – according to the equivalent of the rent that would be due if a lease agreement for those premises or that building had been concluded;

4) in other cases – on the basis of market prices applied to the provision of services or the provision of items or rights of the same type and kind, taking into account, in particular, their condition and degree of wear and tear, as well as the time and place of provision.

2b. If the services are partially paid for, the taxpayer's income is the difference between the value of these services, determined according to the rules specified in paragraph 2 or 2a, and the payment made by the taxpayer.

2c. In the case of a controlled transaction within the meaning of Article 23m(1)(6), the value of benefits in kind and other gratuitous benefits received shall be determined on the basis of the provisions of Articles 23o and 23p.

3. (repealed)

4. (repealed)

Article 11a. 1. Revenues in foreign currencies shall be converted into zlotys at the average exchange rate of foreign currencies announced by the National Bank of Poland on the last working day preceding the date of obtaining the revenue.

2. Costs incurred in foreign currencies shall be converted into zlotys at the average exchange rate announced by the National Bank of Poland on the last working day preceding the date on which the cost was incurred.

3. Amounts eligible for deduction from income, tax base or tax reduction, expenses and tax expressed in foreign currencies shall be converted into Polish zlotys at the average exchange rate announced by the National Bank of Poland on the last working day preceding the date of incurring the expense or paying the tax.

Art. 12. 1. Income from a service relationship, employment relationship, outwork relationship and cooperative employment relationship shall be deemed to be all types of cash payments and the monetary value of benefits in kind or their equivalents, regardless of the source of financing of such payments and benefits, in particular: basic remuneration, overtime pay, various types of allowances, bonuses, equivalents for unused leave and any other amounts, regardless of whether their amount has been determined in advance, as well as

incurred for the employee, as well as the value of other free or partially paid benefits.

2. The monetary value of benefits in kind to which employees are entitled under separate regulations is determined according to the average prices applied to other recipients – if the subject of the benefit are goods or services falling within the scope of the employer's activity.

2a. The monetary value of a free benefit to which an employee is entitled for the use of a company car for private purposes is determined as follows:

1) PLN 250 per month – for cars:
   a) with an engine power of up to 60 kW,
   b) which are electric vehicles within the meaning of Article 2(12) of the Act of 11 January 2018 on electromobility and alternative fuels (Journal of Laws of 2024, item 1289, 1853 and 1881) or hydrogen-powered vehicles within the meaning of Article 2(15) of that Act;
2) PLN 400 per month – for cars other than those listed in point 1.

2b. If a company car is used for private purposes for part of a month, the value of the benefit is determined for each day of private use of the car as 1/30 of the amounts specified in paragraph 2a.

2c. If the benefit to which an employee is entitled for the use of a company car for private purposes is partially paid for, the employee's income shall be the difference between the value specified in paragraph 2a or paragraph 2b and the payment made by the employee.

3. The monetary value of other free or partially paid benefits shall be determined in accordance with the rules specified in Article 11(2)-(2b).

3a. (repealed)

4. An employee within the meaning of the Act is a person who is in a service relationship, employment relationship, outwork relationship or cooperative employment relationship.

5. The value of raw materials and auxiliary materials supplied by persons performing outwork, as well as the reimbursement of costs incurred by them for transport, energy consumption, fuel, maintenance of machinery and equipment, etc., shall not be included in the income of such persons if the person for whom the outwork is performed pays the amounts due for these items as a separate item.

6. Income from membership in an agricultural production cooperative or other cooperative engaged in agricultural production shall be deemed to be all income referred to in Article 11, obtained by a member of the cooperative or his or her household member for work contribution and other items provided for in the cooperative's statutes, excluding from this income shares in the cooperative's distributable income from agricultural activities, except for those involving special agricultural production. The provisions of paragraphs 2 and 3 shall apply accordingly.

7. Pension or disability pension shall be understood as the total amount of pension and disability pension benefits, including capital pensions paid under the Capital Pensions Act, together with increases and supplements, excluding family and care allowances and supplements for full orphans to survivor's pensions; a disability pension or survivor's pension shall also include the cash benefit referred to in the Act of 8 February 2023 on cash benefits for family members of officers or professional soldiers who died in connection with their service or while performing activities outside of service to save human life or health or property (Journal of Laws, item 658).

8. (repealed)

Art. 13. For income from activities performed personally, referred to in Article 10(1)(2) shall be deemed to be:

1) (repealed)

2) income from personally performed artistic, literary, scientific, coaching, educational and journalistic activities performed personally, including participation in competitions in the field of science, culture, arts and journalism, income from participation in research and experiments conducted by entities forming the higher education and science system, as well as income from practising sports, sports scholarships awarded on the basis of separate regulations, and income of referees from conducting sports competitions;

3) income from clerical activities, earned on grounds other than an employment contract ;

4) 's income from the activities of Polish arbitrators participating in arbitration proceedings arbitration proceedings with foreign partners;

5) revenue received by persons performing activities related with the performance of social or civic duties, regardless of

the manner in which these persons are appointed, not excluding compensation for lost earnings, with the exception of the income referred to in point 7;

6) income of persons who have been commissioned by a state or local government authority or administration, a court or a prosecutor, on the basis of relevant provisions, to perform specific activities, and in particular income of experts in court, investigation and administrative proceedings and payers, subject to Article 14(2)(10), and collectors of public law receivables, as well as income from participation in committees appointed by state or local government authorities or administrations, with the exception of the income referred to in point 9;

7) income received by persons, regardless of the manner of their appointment, who are members of management boards, supervisory boards, committees or other decision-making bodies of legal persons;

7a) income received by members of the National Media Council;

8) income from the performance of services, on the basis of a contract of mandate or a contract for specific work, obtained exclusively from:

a) a natural person conducting business activity, a legal person and its organisational unit, and an organisational unit without legal personality,

b) the owner (possessor) of real estate in which premises are rented, or the manager or administrator acting on their behalf – if the taxpayer performs these services exclusively for the purposes related to this real estate,

c) an enterprise in inheritance

– except for income obtained on the basis of agreements concluded as part of the taxpayer's non-agricultural business activity and income referred to in point 9;

9) income obtained on the basis of business management agreements, management contracts or similar agreements, including income from such agreements concluded as part of the taxpayer's non-agricultural business activity – except for the income referred to in point 7.

Art. 14. 1. Income from the activities referred to in Art. 10(1)(3) shall be deemed to be the amounts due, even if they have not actually been received, excluding

the value of returned goods, discounts and rebates. For taxpayers selling goods and services subject to value added tax, the revenue from such sales shall be deemed to be the revenue less the value added tax due.

1a. (repealed)

1b. (repealed)

1c. Subject to paragraphs 1e, 1h–1j and 1n–1p, the date of generation of the revenue referred to in paragraph 1 shall be deemed to be the date of delivery of the goods, disposal of the property right or performance of the service or partial performance of the service, no later than the date of:

1) the invoice is issued or

2) the date of payment.

1ca. When determining the amount of revenue, the following shall be taken into account:

1) a transfer pricing adjustment reducing revenue, aimed at meeting the requirements referred to in Article 23o, through the correct application of the methods referred to in Article 23p(1)-(3), meeting the conditions referred to in Article 23q(1)-(4);

2) transfer pricing adjustments increasing revenue, aimed at meeting the requirements referred to in Article 23o, through the correct application of the methods referred to in Article 23p(1)-(3), meeting the conditions referred to in Article 23q(1) and (2).

1d. (repealed)

1e. If the parties agree that the service is settled in settlement periods, the date of revenue recognition shall be the last day of the settlement period specified in the contract or on the invoice issued, at least once a year.

1f. (repealed) 1g.

(repealed)

1h. The provisions of paragraph 1e shall apply accordingly to the supply of electricity and heat, and piped gas.

1i. In the case of income from business activities to which paragraphs 1c, 1e and 1h do not apply, the date of receipt of payment shall be deemed to be the date on which the income arose.

1j. In the case of collecting payments for the supply of goods and services to be performed in subsequent reporting periods, subject to registration using a cash register in accordance with the provisions of the Act on tax on

goods and services, the taxpayer may consider the date of receipt of payment as the date of revenue generation. If this method of determining the date of revenue generation is chosen, the taxpayer is obliged to apply it throughout the entire tax year. The taxpayer shall indicate this choice in the tax return referred to in Article 45(1) or (1a)(2), submitted for the tax year in which this method was applied.

1ja. If a deceased entrepreneur in the tax year in which he died determined the date of revenue generation in the manner referred to in paragraph 1j, the inherited enterprise shall be obliged to apply this method until the end of that tax year.

1k. (repealed)

1l. In the case of non-agricultural business activity conducted in the form of a partnership that is not a legal person, all partners shall notify the selection of the method of determining the date of revenue generation referred to in paragraph 1j.

1m. If the adjustment of revenue is not caused by an accounting error or other obvious mistake, the adjustment shall be made by reducing or increasing the revenue generated in the settlement period in which the corrective invoice was issued or, in the absence of an invoice, another document confirming the reasons for the adjustment.

1n. If, in the settlement period referred to in paragraph 1m, the taxpayer did not generate any revenue or the revenue generated is lower than the amount of the reduction, the taxpayer shall be obliged to increase the tax-deductible costs by the amount by which the revenue was not reduced.

1o. The provisions of paragraphs 1m and 1n shall not apply to:

1) adjustments relating to revenue associated with a tax liability that has become time-barred;

2) transfer pricing adjustments referred to in Article 23q.

1p. If the adjustment referred to in paragraph 1m occurs after the liquidation of non-agricultural business activity, the liquidation of special agricultural production departments or a change in the form of taxation to a flat-rate form of taxation specified in the Act on flat-rate income tax, the Act of 24 August 2006 on tonnage tax or the Act of 6 July 2016 on the activation of the shipbuilding industry and complementary industries, or a change in the rules for determining income in relation to special agricultural production divisions, the reduction or increase in revenue shall be made in the last settlement period prior to the liquidation of non-agricultural business activity or special agricultural production divisions

special agricultural production, a change in the form of taxation or a change in the rules for determining income in relation to special agricultural production divisions.

2. Revenue from business activities also includes:

1) income from the sale of assets that are:
   a) fixed assets or intangible assets, subject to recognition in the register of fixed assets and intangible assets,
   b) assets referred to in Article 22d(1), excluding assets whose initial value determined in accordance with Article 22g does not exceed PLN 1,500,
   c) assets which, due to their expected useful life of one year or less, have not been classified as fixed assets or intangible assets,
   d) assets constituting a cooperative right to commercial premises or a share in such a right, which, pursuant to Article 22n(3), are not subject to inclusion in the register of fixed assets and intangible assets

   – used for business purposes or in the conduct of special agricultural production, subject to paragraph 2c; when determining the amount of revenue, the provisions of paragraph 1 and Article 19 shall apply accordingly;
2) grants, subsidies, subsidies, subject to paragraph 3(13) and paragraph 9, and other gratuitous benefits received to cover costs or as reimbursement of expenses, except where such revenues are related to the receipt, purchase or in-house production of fixed assets or intangible assets on which depreciation write-offs are made in accordance with Articles 22a-22o;
3) exchange rate differences;
4) contractual penalties received;
5) interest on cash in settlement accounts referred to in banking law provisions, or accounts in cooperative savings and credit unions, maintained in connection with business activities, including interest on term deposits and other forms of saving, storage or investment created on these accounts;

6) the value of cancelled or time-barred liabilities, subject to paragraph 3(6), including those arising from loans (borrowings), with the exception of cancelled loans from the Labour Fund;

7) the value of returned receivables which, pursuant to Article 23(1)(20), have been written off as uncollectible or for which provisions have been created and previously included in tax-deductible costs;

7a) the value of returned receivables arising from the agreement referred to in Article 23f, previously classified as tax-deductible costs pursuant to Article 23h;

7b) the value of receivables written off, time-barred or written off as uncollectible in the part for which the revaluation write-offs were previously included in tax-deductible costs;

7c) the equivalent of write-downs on receivables, previously included in tax-deductible costs, in the event of the cessation of the reasons for which these write-downs were made;

7ca) income from the sale of receivables related to business activities, including in the manner specified in Article 17(1)(9), in the amount of their value expressed in the price specified in the contract; in this case, the provisions of points 7b, 7c and 7e shall apply accordingly;

7d) in the case of a reduction or refund of goods and services tax or a refund of excise duty in accordance with separate regulations – the goods and services tax charged or the excise duty refunded, in the part in which the tax was previously included in tax-deductible costs;

7e) the equivalent of dissolved or reduced provisions referred to in Article 23(1)(22), previously included in tax-deductible costs;

7f) the amount of tax on goods and services:

a) not included in the initial value of fixed assets and intangible assets subject to depreciation in accordance with Articles 22a–22o, or

b) relating to other items or rights that are not fixed assets or intangible assets referred to in point (a)

– in the part in which an adjustment was made resulting in an increase in the tax deducted in accordance with the provisions of the Goods and Services Tax Act;

7g) income earned in connection with the repayment or receipt of a loan (credit), if the loan (credit) was indexed to a foreign currency exchange rate, where:

a) the lender (creditor) receives cash constituting repayment of principal in an amount higher than the amount of the loan (credit) granted – in the amount of the difference between the amount of principal repaid and the amount of the loan (credit) granted,

b) the borrower (credit taker) repays the loan (credit) with cash constituting a repayment of principal in an amount lower than the amount of the loan (credit) received – in the amount of the difference between the amount of the loan (credit) received and the amount of principal repaid;

8) the value of benefits in kind and other gratuitous benefits received, calculated in accordance with Article 11(2)-(2b), subject to paragraph 2g and Article 21(1)(125) and (125a);

9) remuneration received for servicing the participant's employee pension scheme in connection with the repayment of funds from the additional contribution;

10) remuneration of payers for:

a) timely payment of taxes collected for the state budget,

b) (repealed)

c) performing tasks related to determining the right to benefits and their amount, and the payment of sickness insurance benefits, as specified in the provisions on the social insurance system;

11) income from rental, subletting, lease, sublease and other similar agreements, assets related to business activity;

12) compensation received for damage to assets related to business activities or the operation of special agricultural production departments;

13) (repealed)

14) income obtained from the sale of:

a) certificates of origin obtained by entities involved in the production of electricity from renewable energy sources, issued upon request, as referred to in Article 45(1) of the Act of 20 February 2015 on renewable energy sources,

b) certificates of origin for agricultural biogas obtained by entities involved in the production of agricultural biogas, issued upon request, as referred to in Article 49(1) of the Act referred to in point (a),

c) certificates of origin from cogeneration obtained by energy companies engaged in electricity generation in high-efficiency cogeneration upon request referred to in Article 9l(3) of the Act of 10 April 1997 – Energy Law (Journal of Laws of 2024, items 266, 834, 859, 1847 and 1881);

15) (repealed)

16) cash received by a partner in a company that is not a legal person on account of withdrawal from such a company;

16a) cash received by a partner in a company that is not a legal person on account of a reduction in their capital share in such a company, whereby the provision of paragraph 3(11) shall apply accordingly;

17) income from the sale of assets:

a) remaining on the date of liquidation of the business or special agricultural production departments special agricultural production, conducted independently,

b) received in connection with the liquidation of a company that is not a legal person, the withdrawal of a partner from such a company or a reduction in the capital share in such a company, with the exception of assets constituting shares (stocks), securities, participation titles in capital funds, derivative financial instruments and assets, as a result of receiving which the Republic of Poland loses the right to tax income from their sale for consideration;

18) the recycling fee referred to in Article 40c of the Act of 13 June 2013 on packaging and packaging waste management (Journal of Laws of 2024, items 927 and 1911);

19) income from the sale of movable property used for business purposes or in the conduct of special agricultural production, on the basis of the agreement referred to in Article 23b(1), whereby the provisions of paragraph 1 and Article 19 shall apply accordingly when determining the amount of income;

20) value work person illegally employed within the meaning of Article 2(14)(a) of the Act of 20 March 2025 on the labour market and employment services (Journal of Laws, item 620) determined for each month in which

illegal employment was found, in the amount equivalent to the minimum wage applicable in a given month pursuant to the provisions of the Act of 10 October 2002 on the minimum wage (Journal of Laws of 2024, item 1773), with the income arising on the date of finding illegal employment;

21) the value of the income of the employee referred to in Article 21(1)(151).

2a. In the event of a partial repayment of the receivables referred to in paragraph 2(7), the income shall be determined in proportion to the share of the repaid part of the receivables in its total amount.

2b. In the case of a lease or tenancy agreement for property or property rights and similar agreements concerning assets related to economic activity, if the lessor or lessee has transferred to a third party claims for payments under such agreements, and these agreements between the parties do not expire, the amounts paid by the third party for the transfer of receivables shall not be included in the lessor's or lessee's income. Fees paid by the lessee or tenant to a third party shall constitute the lessor's or lessee's income on the due date.

2c. The income referred to in paragraph 2(1) shall not include income from the sale of the following items used for business purposes and in the conduct of special agricultural production: a residential building, part thereof or a share therein, a residential premises constituting a separate property or a share therein, land or a share in land or the right of perpetual usufruct of land or a share in such a right, related to that building or premises, cooperative ownership right to residential premises or a share in such a right, and the right to a single-family house in a housing cooperative or a share in such a right. The provision of Article 30e shall apply accordingly.

2d. The provision of paragraph 2(7f) shall apply accordingly in the event of a change in the right to reduce the amount of tax due by the amount of input tax referred to in the provisions of the Goods and Services Tax Act.

2e. Where a taxpayer settles an obligation in whole or in part by making a non-monetary payment, including in respect of a loan (credit) taken out, the taxpayer's income shall be the amount of the obligation settled as a result of such payment. However, if the market value of the non-monetary payment

is higher than the amount of the liability settled by that benefit, the income shall be determined as the market value of the non-monetary benefit. The provision of Article 19 shall apply accordingly.

2f. The provision of paragraph 2e shall apply accordingly in the case of a non-monetary benefit provided by a company that is not a legal person.

2g. In the case of a controlled transaction within the meaning of Article 23m(1)(6), the value of benefits in kind and other gratuitous benefits received shall be determined on the basis of the provisions of Articles 23o and 23p.

2h. Where a taxpayer who, on the basis of an agreement concluded with a supplier of goods or services registered for VAT purposes as an active VAT taxpayer or with a purchaser of goods or services, is obliged to collect payment from the purchaser of goods or services for the supply of goods or services, confirmed by an invoice, and to transfer it in whole or in part to the supplier of goods or services, has made the payment without the use of a payment account or by transfer to an account other than that included on the date of the transfer order in the list of entities referred to in Article 96b(1) of the Goods and Services Tax Act, the taxpayer's income is determined on the date of payment of this amount without the use of a payment account or transfer order. This income shall be determined in the amount in which the amount due was paid without the use of a payment account or by transfer to an account other than that included on the date of the transfer order in the list of entities referred to in Article 96b(1) of the Goods and Services Tax Act.

2i. The income referred to in paragraph 2h shall not be determined if the payment of the amount due by the taxpayer:

1) results from a transaction other than that specified in Article 19 of the Act of 6 March 2018 – Entrepreneurs Law (Journal of Laws of 2024, items 236, 1222 and 1871) or

2) was made by bank transfer to an account other than the one included on the date of the transfer order in the list of entities referred to in Article 96b(1) of the Goods and Services Tax Act, and the taxpayer submitted, upon the first payment of the amount due by transfer to that account, the notification referred to in Article 117ba § 3(2) of the Tax Ordinance to the head of the tax office competent for the taxpayer who made the payment, within 7 days from the date of the transfer order, or

3) the payment was made by bank transfer to the account of a bank or a cooperative savings and credit union:

– used to settle accounts for monetary claims acquired by that bank or credit union, or

– used by that bank or credit union to collect payments from the purchaser of goods or services for the delivery of goods or provision of services, confirmed by an invoice, and to transfer it in whole or in part to the supplier of goods or services, or

– maintained by that bank or credit union as part of its own management, not being a settlement account

– if, respectively, the bank, cooperative savings and credit union or entity issuing the invoice, together with information about the account number for payment, has informed the taxpayer that the account indicated for payment is an account referred to in points (a), (b) or (c), or

4) was made using the split payment mechanism referred to
referred to in Article 108a of the Goods and Services Tax Act, or

5) results from an invoice documenting activities related to intra-Community acquisition of goods, import of goods, import of services or supply of goods settled by the purchaser.

2j. The revenue referred to in paragraph 2(20) shall also be determined where remuneration for illegal employment has actually been paid to the illegally employed person.

3. The revenue referred to in paragraphs 1 and 2 shall not include:

1) payments collected or receivables accrued for the supply of goods and services to be performed in subsequent reporting periods, as well as loans (credits) received or repaid, including those settled in kind, with the exception of capitalised interest on such loans (credits);

2) amounts of interest accrued but not received on receivables, including loans granted;

3) refunded, remitted or waived taxes and fees constituting revenue for the state budget or local government budgets, not included in tax-deductible costs;

3a) other expenses refunded, not classified as tax-deductible costs;

3b) refunded, remitted or waived payments made to the State Fund for Rehabilitation of Disabled Persons on the basis of separate regulations, not included in tax-deductible costs;

4) (repealed)

5) income which, within the meaning of the provisions on the company social benefits fund increase this fund;

6) the amount equivalent to written-off liabilities, including written-off loans (credits), if the write-off of liabilities is related to restructuring or bankruptcy proceedings;

7) exempt from payments of goods and services tax and refunded goods and services tax differences, made on the basis of separate regulations;

8) income from a sale against payment on the basis of a transfer of ownership agreement for the purpose of securing a claim, including a loan or credit, until the final transfer of ownership of the subject of the agreement;

9) (repealed)

10) cash received by a partner in a company that is not a legal person on account of the liquidation of such a company;

11) cash received by a partner in a company that is not a legal person on account of leaving such a company, in the part corresponding to the surplus of income over the costs of obtaining it, referred to in Article 8, obtained by the partner before leaving the company, less payments made in respect of the share in that company and expenses not constituting tax-deductible costs, unless they have previously reduced the taxable income referred to in paragraph 2(16a);

12) income from the sale of assets:

a) remaining on the date of liquidation of an independently run business or independently run special agricultural production departments,

b) received in connection with the liquidation of a company that is not a legal person, the withdrawal of a partner from such a company or a reduction in the capital share in such a company, with the exception of assets constituting shares, securities, participation titles in capital funds, derivative financial instruments and

assets as a result of which the Republic of Poland loses the right to tax income from their sale

– if, from the first day of the month following the month in which the liquidation took place: independent economic activity, independent special agricultural production departments, a company that is not a legal person, or a partner withdrew from such a company or a reduction in the capital share in such a company, six years have elapsed since the date of their sale, and the sale does not take place in the course of economic activity or special agricultural production departments;

13) amounts received from executive agencies, if these agencies received funds for this purpose from the state budget, subject to paragraph 9;

14) advance payments collected for income tax and flat-rate income tax which have not been transferred to the tax office account pursuant to Article 26eb(1);

15) funds received referred to in Article 33b(1) of the Act on Vocational Rehabilitation.

3a. The provision of paragraph 3(1) shall not apply to the revenues referred to in paragraph 1j.

4. (repealed)

5. (repealed)

6. (repealed)

7. When determining the amount of revenue referred to in paragraph 2(17), the provisions of paragraph 1 and Article 19 shall apply accordingly.

8. The cash referred to in paragraph 3(10) and (11) shall also be understood as the value of receivables previously recognised as accrued revenue, less the applicable goods and services tax, and receivables arising from a loan granted by a company that is not a legal person, with the exception of receivables arising from interest on late payments and receivables arising from interest on such a loan, if these receivables have been repaid to the partner receiving them.

9. The taxpayer may include in business income grants, subsidies, additional payments, other gratuitous benefits or amounts received from executive agencies to their business income if, by the deadline for submitting the tax return for the tax year in which they were received, specified in Article 45(1), they submit to the competent head of the tax office a written statement on the inclusion of specific

grants, subsidies, additional payments, other gratuitous benefits or amounts received from executive agencies to revenues. The provision of Article 23(1)(45) shall not apply to costs constituting depreciation write-offs on fixed assets and intangible assets financed from the revenues to which this statement relates.

Article 14a. (repealed)

Article 14b. 1. Taxpayers shall determine exchange rate differences on the basis of Article 24c, subject to paragraph 2.

2. Taxpayers keeping accounting books may determine exchange rate differences on the basis of accounting regulations, provided that during the period referred to in paragraph 4, the financial statements prepared by taxpayers are audited by audit firms.

3. Taxpayers who have chosen the method referred to in paragraph 2 shall include in their revenue or tax-deductible costs, as appropriate, the differences recognised in their accounting books exchange rate differences arising from foreign currency transactions and resulting from the valuation of assets and liabilities denominated in foreign currencies, as well as the valuation of off-balance sheet items in foreign currencies. For tax purposes, this valuation should be made on the last day of each month and on the last day of the tax year, or on the last day of the quarter and on the last day of the tax year, or only on the last day of the tax year, provided that the selected valuation date must be used for the entire tax year and cannot be changed.

4. If the method referred to in paragraph 2 is chosen, taxpayers are required to apply this method for a period of not less than three tax years, counting from the beginning of the tax year in which this method was adopted. Taxpayers shall indicate their choice of this method in the tax return referred to in Article 45(1) or (1a)(2), submitted for the tax year in which they began to apply it.

4a. If a deceased entrepreneur applied the method referred to in paragraph 2 in the tax year in which he died, the inherited enterprise shall be required to apply this method until the end of that tax year.

5. Taxpayers shall notify their decision to opt out of the method referred to in paragraph 2 in the tax return referred to in Article 45(1) or (1a)(2) submitted for the last tax year in which they applied that method. The opt-out may take place after the expiry of the period referred to in paragraph 4.

6. If the method of determining exchange rate differences referred to in paragraph 2 is chosen, taxpayers shall, on the first day of the tax year in which this method was chosen, include in their revenue or tax-deductible costs, as appropriate, the exchange rate differences calculated on the basis of accounting regulations as at the last day of the previous tax year. From the first day of the tax year in which they chose this method, they shall apply the rules referred to in paragraph 3.

7. In the event of opting out of the method of determining exchange rate differences referred to in paragraph 2, taxpayers shall:

1) shall include, on the last day of the tax year in which they applied this method, the exchange rate differences determined on the basis of accounting regulations in their revenues or tax-deductible costs, as appropriate;
2) from the first day of the tax year following the year in which they applied this method, apply the rules referred to in Article 24c, determining exchange rate differences from the date referred to in point 1.

Article 14c. 1. A taxpayer, including a taxpayer starting a business, who derives income from independent business activity shall apply the cash method of accounting for income if all of the following conditions are met:

1) income from independent business activity in the year immediately preceding the tax year did not exceed PLN 1,000,000, whereby in the case of an enterprise in succession, income also includes income from business activity conducted independently by the deceased entrepreneur;
2) n connection with the business activity conducted not conducts accounting accounting books;
3) submit a written statement to the competent head of the tax office on the choice of the cash method of accounting for income by 20 February of the tax year, and in the case of a taxpayer commencing business activity during the tax year – by the 20th day of the month following the month in which the business activity commenced, and if the business activity commenced in December of the tax year – by the end of the tax year.

2. In the case of the cash method of accounting for revenue, the date of revenue generation is considered to be the date of payment, no later than:

1) the expiry of 2 years from the date of issue of the invoice, or

2) the liquidation of the business activity.

3. For the purposes of the cash method of accounting for revenue, the settlement of receivables also means:

1) partial payment of the amount due;

2) payments for goods and services to be delivered in subsequent reporting periods.

4. The cash method of accounting for revenue applies only to revenue which:

1) result from transactions between a taxpayer and an entrepreneur within the meaning of the Act of 6 March 2018 – Entrepreneurs' Law, and

2) are documented by invoices issued within the time limits specified in accordance separate regulations.

5. The cash method of accounting for revenue does not apply to revenue arising from transactions between a taxpayer and:

1) a related entity within the meaning of Article 23m(1)(4) with the taxpayer, where the size of the shares and rights referred to in Article 23m(2)(1)(a)-(c) is at least 5%;

2) an entity having its place of residence, registered office or management in a territory or country applying harmful tax competition, as defined in the provisions issued on the basis of Article 23v(2), or a foreign establishment located in a territory or country applying harmful tax competition, as defined in those provisions.

6. The cash method of accounting for revenue does not apply to revenue from the sale of fixed assets and intangible assets included in the register of fixed assets and intangible assets.

7. If the cash method of accounting for revenue is chosen, the taxpayer is obliged to apply this method throughout the entire tax year.

8. If an invoice was issued in a tax year in which the taxpayer used the cash method of accounting for revenue, and the payment was made in a tax year in which the taxpayer does not use this method, the taxpayer shall apply the rules for determining the date of revenue arising from this invoice

for determining that date applied in the tax year in which the invoice was issued.

9. If the invoice was issued in a tax year in which the taxpayer did not use the cash method of accounting for revenue, and the payment was made in a tax year in which the taxpayer uses this method, the taxpayer shall apply the rules for determining this date used in the tax year in which the invoice was issued to determine the date of revenue arising from this invoice.

10. If an entrepreneur who used the cash method of accounting for revenue during a tax year dies, the enterprise that inherits the business shall use this method until the end of that tax year.

11. The choice of the cash method of accounting for revenue also applies to subsequent years, unless the taxpayer notifies the competent head of the tax office in writing by 20 February of the tax year that they are abandoning the cash method of accounting for revenue.

Art. 15. 1. Revenue from special types of agricultural production shall be determined in accordance with the rules set out in Art. 14, if the taxpayer keeps books showing this revenue. The taxpayer shall be obliged to notify the competent head of the tax office of their intention to keep books before the beginning of the tax year or before the commencement of special agricultural production, if this occurs during the year, subject to paragraph 2.

2. Where the obligation to keep accounting books arises from accounting regulations, income from special types of agricultural production shall be determined on the basis of the accounting books kept in accordance with the rules specified in Article 14. In such a case, there is no obligation to notify the competent head of the tax office of the establishment of accounting books.

Article 16. (repealed)

Article 16a. (repealed)

Article 17. 1. The following shall be considered income from capital:

1) interest on loans;
2) interest on savings deposits and funds in bank accounts or other forms of saving, storage or investment, subject to Article 14(2)(5);
3) interest (discount) on securities;
3a) redemption by the issuer of bonds on which periodic payments are due;

4) dividends and other income from shares in the profits of legal persons actually obtained from this share, including:
   a) dividends from shares deposited by members of employee pension funds in quantitative accounts,
   b) interest on membership shares from the balance sheet surplus (total income) in cooperatives,
   c) distribution of the assets of a liquidated legal person or company,
   d) the value of gratuitous or partially remunerated benefits provided to partners of companies, determined in accordance with the rules set out in Article 11(2)-(2b);
5) income from participation in capital funds, subject to paragraph 1c;
6) income from:
   a) the sale of shares, cooperative shares and securities,
   b) the exercise of rights arising from securities referred to in Article 3(1)(b) of the Act of 29 July 2005 on Trading in Financial Instruments;
7) income from the sale of pre-emptive rights, including the sale of pre-emptive rights to newly issued shares by an employee pension fund on behalf of a fund member;
8) income of members of employee pension funds from the transfer of shares deposited in quantitative accounts to the assets of those funds;
9) the value of the contribution specified in the articles of association or partnership agreement, and in the absence thereof, the value of the contribution specified in another document of a similar nature – in the case of a non-cash contribution to a company or cooperative; however, if this value is lower than the market value of the contribution or the value of the contribution has not been specified in the articles of association, agreement or other document of a similar nature, the market value of such contribution as determined on the date of transfer of ownership of the non-cash contribution shall be considered as income; the provision of Article 19(3) shall apply accordingly;

9a) (repealed)

10) income from the sale of derivative financial instruments and from the exercise of rights arising therefrom;
11) income from the sale of virtual currency;

12) income from the receipt of assets in connection with the liquidation of a company that is not a legal person, the withdrawal of a partner from such a company or a reduction in the capital share in such a company, as a result of which the Republic of Poland loses the right to tax the income from the sale of these assets.

1a. The income specified in paragraph 1(9) arises on the date of:

1) the company or cooperative is registered, or

2) entry in the register of an increase in the company's share capital or the issue of new shares in a simple joint-stock company, or

2a) the transfer of ownership of the contribution to the company – if the company or the increase in the company's share capital is not subject to registration in the relevant register in accordance with the provisions of the country in which the company has its registered office or management, or

3) entry in the register of shareholders referred to in Article 300^{30} § 1 or Article 328^{1} § 1 of the Act of 15 September 2000 – Commercial Companies Code (Journal of Laws of 2024, items 18 and 96), if the acquisition of shares is related, respectively, to a conditional issue of shares or a conditional increase in the share capital, or

4) the adoption of a resolution on admission to the cooperative.

5) (repealed)

1aa. (repealed)

1ab. Income specified in section 1(6):

1) from the sale of shares, cooperative shares and securities arises at the moment of transfer of ownership of the shares, cooperative shares and securities to the purchaser;

2) from the exercise of rights arising from securities arises at the moment of exercising these rights.

1b. The date of the arising of income from the exercise of rights arising from derivative financial instruments shall be deemed to be the moment of exercising those rights.

1c. No income is determined on account of the redemption of participation units of a subfund of an investment fund with separate subfunds, in the case of conversion of participation units of a subfund into participation units of another subfund of the same investment fund, carried out on the basis of the Act of 27 May 2004 on investment funds and management of alternative investment funds.

1d. In the case of a shareholder of a simple joint-stock company or a partner in a company referred to in Article 5a(28)(c)-(e), the provision of paragraph 1(9) shall apply only to the contribution of non-cash assets constituting transferable property or rights.

1e. The income referred to in section 1(9) shall not be determined if the subject of the non-cash contribution to a capital company is commercialised intellectual property contributed by the commercialising entity.

1f. The sale of virtual currency for consideration shall be understood as the exchange of virtual currency for legal tender, goods, services or property rights other than virtual currency, or the settlement of other liabilities with virtual currency.

1g. The provision of paragraph 1(11) shall also apply to income obtained in the course of business activity, with the exception of the activity referred to in Article 2(1)(12) of the Act on Counteracting Money Laundering and Terrorist Financing, which is classified as income from non-agricultural business activity.

1h. The income referred to in paragraph 1(12) arises at the moment of transfer of ownership of assets from a company that is not a legal person to a partner.

1i. The provisions of paragraph 1 points 3-7, 9 and 10 shall apply accordingly to shares, securities, participation titles in capital funds and derivative financial instruments received in connection with the liquidation of a company that is not a legal person, the withdrawal of a partner from such a company or a reduction in the capital share in such a company.

2. In determining the value of the income referred to in paragraph 1(4)(c), (6), (7) and (10), the provisions of Article 19 shall apply accordingly.

3. (repealed)

4. (repealed)

Art. 18. Income from property rights shall include, in particular, income from copyrights and related rights within the meaning of separate regulations, rights to inventions, rights to integrated circuit topographies, trademarks and decorative designs, including income from the sale of such rights.

Art. 19. 1. Income from the sale of real estate or property rights and other items referred to in Art. 10 sec. 1 point 8 shall be their value expressed in the price specified in the contract, less the costs of the sale. However, if the price, without a justified reason, significantly deviates from the market value

market value of these items or rights, the revenue shall be determined by the tax authority at market value. The provision of Article 14(1), second sentence, shall apply accordingly.

2. The income from the sale of real estate or property rights, as well as other items referred to in Article 10(1)(8), by way of exchange, for each party to the contract transferring ownership, is the value of the real estate, items or rights sold by way of exchange. The provisions of paragraphs 1, 3 and 4 shall apply accordingly.

3. The market value referred to in paragraph 1 of property or property rights shall be determined on the basis of market prices applied in the trade in property or rights of the same type and kind, taking into account, in particular, their condition and degree of wear and tear, as well as the time and place of their sale.

4. If the value expressed in the price specified in the contract of sale significantly differs from the market value of the real estate or property rights and other items, the tax authority shall request the parties to the contract to change this value or indicate the reasons justifying the price significantly different from the market value. If no response is given, no change is made to the value or no reasons are given to justify the price significantly deviating from the market value, the tax authority shall determine the value taking into account the opinion of an expert or experts. If the value determined in this way deviates by at least 33% from the value expressed in the price, the costs of the expert opinion or opinions shall be borne by the seller.

5. In the case of a controlled transaction within the meaning of Article 23m(1)(6), the value of the real estate, property rights and other items sold shall be determined on the basis of the provisions of Articles 23o and 23p.

Art. 20. 1. Income from other sources referred to in Art. 10(1)(9) shall include, in particular: amounts paid after the death of a member of an open pension fund to a person designated by him or to a member of his immediate family, within the meaning of the provisions on the organisation and operation of pension funds, amounts obtained from the return on an individual pension security account and payments from an individual pension security account, including those made to a person entitled in the event of the death of the saver, cash benefits from social insurance, alimony, scholarships, benefits received under a harvest assistance agreement, grants (subsidies) other than those listed in Article 14, subsidies, awards and other gratuitous benefits not included in the income specified in Articles 12-14 and Article 17.

1a. Income from other sources referred to in Article 10(1)(9) shall also include due, even if income from manufacturing activities in agriculture in the field of wine production by wine producers within the meaning of Article 2(23) of the Act of 2 December 2021 on wine products (Journal of Laws of 2023, item 550) who are farmers producing less than 100 hectolitres of wine per tax year exclusively from grapes grown on their own vineyards. For taxpayers subject to value added tax, the income from such sales shall be deemed to be the income less the value added tax due.

1b. Income from other sources referred to in Article 10(1)(9) shall also include income not covered by disclosed sources or originating from undisclosed sources.

1ba. Income from other sources referred to in Article 10(1)(9) shall also include income generated from activities referred to in Article 5(1) of the Act of 6 March 2018 – Entrepreneurs Law.

1bb. If the limit of income due specified in Article 5(1) of the Act of 6 March 2018 – Entrepreneurs Law is exceeded, the taxpayer shall be deemed, starting from the date of submission of the application for entry in the Central Register and Information on Economic Activity, and if the application was not submitted within the time limit specified in Article 5(4) of the Act of 6 March 2018 – Entrepreneurs Law – starting from the day following the day on which that time limit expired without effect, obtains the revenue referred to in Article 10(1)(3).

1bc. Revenue generated in the period from the date on which the limit specified in Article 5(1) of the Act of 6 March 2018 was exceeded. – Entrepreneurs Law, to the day preceding the date of submission of the application for entry in the Central Register and Information on Economic Activity, and if the application was not submitted within the time limit specified in Article 5(4) of the Act of 6 March 2018 – Entrepreneurs Law – until the date on which that deadline expired without effect, shall be included in the revenues referred to in paragraph 1ba.

1c. Revenues from other sources referred to in Article 10(1)(9) shall also include revenues from the sale of plant and animal products processed in a non-industrial manner, with the exception of processed plant and animal products obtained as part of special agricultural production and products subject to excise duty under separate regulations, if:

1) (repealed)

2) the processing and sale of plant and animal products does not involve the employment of persons on the basis of employment contracts, contracts of mandate, contracts for specific work and other contracts of a similar nature, with the exception of the slaughter of animals for slaughter and the post-slaughter processing of such animals, including the cutting, division and classification of meat, the milling of cereals, oil or juice pressing, and sale at exhibitions, festivals, fairs and markets;

3) (repealed)

4) records of sales referred to in paragraph 1e are kept;

5) the quantity of plant or animal products originating from own cultivation, breeding or rearing used in the production of a given product constitutes at least 50% of that product, excluding water.

1d. Flour, groats, flakes, bran, oils and juices produced from raw materials originating from own cultivation shall also be considered plant products originating from own cultivation.

1e. Taxpayers generating the revenue referred to in paragraph 1c shall be required to keep separate records for each tax year of sales of plant and animal products, containing at least: the serial number of the entry, the date of receipt of the revenue, the amount of the revenue, the cumulative revenue since the beginning of the year, and the quantity and type of processed products. Daily income shall be recorded on the date of sale.

1ea. (repealed)

1f. The sales records referred to in paragraph 1e shall be kept at the place of where processed plant and animal products are sold.

1g. Revenue from other sources referred to in Article 10(1)(9) shall also include revenue from the receipt or provision of the benefit referred to in Article 2(2) of the Act of 26 January 2023 on family foundations, and property in connection with the dissolution of a family foundation. If the subject of this benefit or property is not money or monetary values, the income arises on the last day of the month in which the taxpayer received such benefit or property, and in the case of a benefit or property due for a period longer than one month, the income arises on the last day of each month for which such benefit or property is due.

1h. Income from other sources referred to in Article 10(1)(9) shall also include income from the accumulation of savings in:

1) an OIPE sub-account within the meaning of Article 2(9) of the OIPE Act,

2) a sub-account within the meaning of Article 2(23) of Regulation 2019/1238, maintained in accordance with the provisions in force in a Member State of the European Union other than the Republic of Poland.

– received by the beneficiary of the OIPE within the meaning of Article 2(6) of Regulation 2019/1238, including a person entitled to receive funds accumulated in these sub-accounts after the death of the saver within the meaning of Article 2(7) of the OIPE Act.

2. The social security cash benefits referred to in paragraph 1 shall be deemed to be the amounts of sickness, compensatory, maternity, care and rehabilitation benefits paid by the employer or pension authority.

3. (repealed)

4. (repealed)

Article 20a. (repealed)

Chapter 3

Exemptions Art. 21. 1. **The following** shall be exempt from income tax:

1) (repealed)

2) pensions granted on the basis of separate provisions on the provision of benefits to disabled and their families;

3) compensation or damages received, if their amount or the rules for determining them result directly from the provisions of separate acts or executive regulations issued on the basis of those acts or administrative acts issued on the basis of those provisions, and compensation or damages received, if their amount or the rules for determining them result directly from the provisions of collective labour agreements, other collective agreements based on the Act, regulations or statutes referred to in Article 9 § 1 of the Act of 26 June 1974 – Labour Code (Journal of Laws of 2023, item 1465 and of 2024, items 878, 1222, 1871 and 1965), with the exception of:

a) severance pay and compensation for shortening the the notice period for termination of an employment contract,

b) severance pay paid on the basis of provisions on special rules for terminating employment relationships with employees for reasons not related to the employees,

c) severance pay and compensation for shortening the notice period for officers remaining in service,

d) compensation awarded on the basis of provisions on non-competition,

e) compensation for damage relating to components of assets related with business activities,

f) compensation for damage to assets related to the operation of special agricultural production departments, the income from which is taxed according to the scale referred to in Article 27(1) or on the terms referred to in Article 30c,

g) compensation resulting from contracts or settlements other than court settlements;

3a) compensation or damages received on the basis of provisions on the invalidation of judgments issued against persons repressed for activities in favour of the independent existence of the Polish state;

3b) other compensation or damages received on the basis of a court judgement or settlement up to the amount specified in that judgement or settlement, with the exception of compensation or damages:

a) received in connection with business activities,

b) relating to benefits that the taxpayer could have achieved if no damage had been caused to them;

3c) compensation in the form of a pension awarded under civil law in the event of bodily injury or health impairment, received by the injured party who has lost their ability to work, either completely or partially, or whose needs have increased or whose prospects for the future have diminished, and compensation in the form of a pension awarded under civil law in the event of the death of the injured party, received by the entitled persons referred to in Article 446 § 2 of the Act of 23 April 1964 – Civil Code (Journal of Laws of 2024, items 1061 and 1237), as well as monthly benefits to ensure means of subsistence referred to in Article 753^3§ 1 of the Act of 17 November 1964 – Code of Civil Procedure (Journal of Laws of 2024, items 1568 and 1841);

3d) compensation received under the provisions of geological and mining law;

3e) sums of money referred to in Article 12(4) of the Act of 17 June 2004 on complaints against violations of a party's right to have a case examined in preparatory proceedings conducted or supervised by a prosecutor and in court proceedings without undue delay (Journal of Laws of 2023, item 1725);

4) amounts received from property and personal insurance, with the exception of:

a) compensation for damage to assets related to business activities or the operation of special agricultural production departments, the income from which is taxed in accordance with Article 27(1) or Article 30c,

b) income referred to in Article 24(15) and (15a);

4a) amounts of compensation benefits paid from the Protective Vaccination Compensation Fund referred to in Article 17b(1) of the Act of 5 December 2008 on the prevention and control of infections and infectious diseases in humans (Journal of Laws of 2024, items 924 and 1897);

4b) amounts of compensation benefits paid under the provisions of the Act of 9 March 2023 on clinical trials of medicinal products for human use (Journal of Laws, item 605);

4c) amounts of compensation benefits paid under the provisions of the Act of 6 November 2008 on the rights of patients and the Patient Ombudsman (Journal of Laws of 2024, item 581);

5) (repealed)

5a) amounts reimbursed by an investment fund company in connection with the expiry of a licence to establish an investment fund – in the amount of contributions made to the fund;

6) (repealed)

6a) winnings in:

a) number games, cash lotteries, telebingo, mutual betting, promotional lotteries, audiotele lotteries and raffles, if the single value of these winnings does not exceed PLN 2,280,

b) slot machines, card games, dice games, cylindrical games, cash bingo games and raffle bingo games

– organised and operated by an authorised entity on the basis of gambling regulations in force in a Member State of the European Union or in another country belonging to the European Economic Area;

6b) (repealed)

7) death grants and funeral allowances;

8) family benefits received under the provisions on family benefits, family and care allowances, carers' allowances received under the provisions on the determination and payment of carers' allowances, cash benefits received in the event of unsuccessful enforcement of maintenance payments, childbirth allowances received under separate provisions and child-raising benefits received under the provisions on state assistance in raising children;

8a) maternity allowance received on the basis of the Act of 20 December 1990 on social insurance for farmers;

8b) one-off benefit received under the Act of 4 November 2016 on support for pregnant women and families "For Life" (Journal of Laws of 2024, item 1829);

8c) (repealed)

8d) (repealed)

8e) support benefit referred to in the Act of 7 July 2023 on support benefits (Journal of Laws, items 1429 and 2760);

8f) "active parent" benefits referred to in the Act of 15 May 2024
Act on supporting parents in professional activity and child-rearing
– "Active Parent" (Journal of Laws, item 858);

9) one-off childbirth allowances paid from trade union funds;

9a) allowances, other than those listed in point 26, paid from the funds of a company or inter-company trade union organisation to employees belonging to that organisation, up to an amount not exceeding PLN 1,000 in a tax year;

10) the value of work clothing (uniforms), if its use is part of the employee's duties, or the cash equivalent for such clothing;

10a) the value of representative and sports clothing received by a member of the Polish Olympic and Paralympic team and a member of the Polish team for the Deaflympics and Special Olympics World Games;

11) benefits in kind and equivalents for these benefits, due under the provisions on occupational health and safety, if the rules for granting them result from separate acts or executive regulations issued on the basis of these acts;

11a) benefits in kind and equivalents for these benefits, resulting from occupational health and safety rules, including due to the specific conditions and nature of the service performed, to which persons in an employment relationship are entitled, granted on the basis of separate acts or executive regulations issued on the basis of these acts;

11b) the value of vouchers, coupons or other documents entitling the employee to obtain meals, food or non-alcoholic beverages from the employer, in cases where the employer, despite the obligation to provide meals, food or non-alcoholic beverages, has not done so; vouchers, coupons or other documents entitling them to obtain meals, food or non-alcoholic beverages on their basis, if the employer, despite its obligation under occupational health and safety regulations, is unable to provide employees with meals, food or non-alcoholic beverages;

12) (repealed)

12a) (repealed)

13) cash equivalents for tools, materials or equipment used by employees in the performance of their work, which are their property;

14) amounts received by employees as reimbursement for relocation expenses and allowances for settling in connection with a transfer, up to 200% of the remuneration due for the month in which the transfer took place;

14a) the value of the benefit received by an employee for transport provided by the employer by bus within the meaning of Article 2(41) of the Act of 20 June 1997 – Road Traffic Law (Journal of Laws of 2024, item 1251);

15) benefits received by persons for performing or performing:

a) military service other than professional military service, with the exception of the salaries of soldiers in voluntary basic military service,

b) substitute service

– granted on the basis of separate regulations;

16) allowances and other payments for the time of:

a) business trips of an employee,

b) travel of a person who is not an employee

– up to the amount specified in separate acts or in regulations issued by the minister responsible for labour regarding the amount and conditions for determining entitlements to which an employee employed in a state or local government budgetary unit is entitled for business travel within the country and abroad, subject to paragraphs 13 and 15c;

17) allowances and amounts constituting reimbursement of costs received by persons performing activities related to the performance of social and civic duties – up to a monthly amount not exceeding PLN 3,000;

17a) amounts constituting reimbursement of costs to which members of the National Media Council are entitled ;

18) allowance for separation due under separate acts, executive regulations issued on the basis of these acts or collective labour agreements, up to the amount of allowances for business travel within the country, specified in the regulations on the amount and conditions for determining the entitlements of an employee employed in a state or local government budgetary unit for business travel within the country;

19) the value of benefits incurred by the employer for the accommodation of employees, subject to paragraph 14 – up to a monthly amount not exceeding PLN 500;

20) part of the income of persons referred to in Article 3(1) who are temporarily staying abroad and who, in connection with that stay, earn income from a service relationship, employment relationship, outwork relationship or cooperative employment relationship, for each day of stay abroad during which the taxpayer remained in a service relationship, employment relationship, outwork relationship or cooperative employment relationship, in an amount corresponding to 30% of the allowance specified in the provisions on the amount and conditions for determining the entitlements of an employee employed in a state or local government budgetary unit for business travel abroad, subject to paragraphs 15 and 15c;

20a) (repealed)

21) (repealed)

22) (repealed)

23) (repealed)

23a) part of the income of persons referred to in Article 3(1) who are temporarily abroad and earn income from:

a) scholarships – in an amount equivalent to the allowance for business trips abroad, specified in the regulations on the amount and conditions for determining the entitlements of an employee employed in a state or local government budgetary unit for business trips abroad, for each day on which the scholarship was received,

b) lump sums for living and accommodation expenses paid from the state budget in connection with assignment to teaching work in schools and academic centres abroad, granted on the basis of separate regulations;

23b) reimbursement of costs incurred by an employee for the use of vehicles owned by the employee for the purposes of the workplace in local travel, if the obligation to bear these costs by the workplace or the possibility of granting the right to reimbursement of these costs results directly from the provisions of other acts – up to the amount of the monthly lump sum or up to an amount not exceeding the amount determined using the rates per kilometre of vehicle mileage specified in separate regulations issued by the competent minister, if the vehicle mileage, excluding lump sum payments, is documented in the vehicle mileage record kept by the employee; the provision of Article 23(7) shall apply accordingly;

23c) income of seafarers who are citizens of a Member State of the European Union or a country belonging to the European Economic Area, earned from work on sea-going vessels flying the flag of a Member State of the European Union or a country belonging to the European Economic Area, used for the carriage of cargo or passengers in international shipping, if such work was performed for a total of at least 183 days in a given tax year, with the exception of work performed on:

a) tugboats, where less than 50% of the working time actually performed by the tugboat during the year was spent transporting cargo or passengers by sea,

b) dredgers, where less than 50% of the working time actually performed by the dredger during the year was spent transporting dredged material by sea;

23d) income from employment relationship and contract of mandate referred to in Article 13(8), received by a driver for performing international road transport on the basis of that relationship or contract, in an amount equivalent to EUR 20 for each day of the driver's stay abroad, whereby the days spent abroad are determined in accordance with the Act of 16 April 2004 on the working time of drivers (Journal of Laws of 2024, item 220), and reimbursement of costs:

a) accommodation, referred to in Article 8(8) of Regulation (EC) No 561/2006 referred to in Article 1(1a) of the Act of 16 April 2004 on the working time of drivers,

b) travel to the place of commencement of international road transport by means of transport other than a vehicle at the disposal of the employer or the entity for which the driver performs international road transport,

c) necessary documented expenses specified or recognised by the employer or entity for which the driver performs international road transport, in accordance with justified needs, in an amount not exceeding the amount of expenses actually incurred and documented by the driver,

d) use of sanitary facilities, determined on the basis of average undocumented costs of such services offered in publicly accessible places of service to travellers in countries where the driver performs his duties;

24) benefits, allowances and other amounts, as well as the value of free or partially paid training benefits referred to in Article 31, Article 44(1), Article 80(1), Article 81, Article 83(1) and (4), Article 84(2) and (3), Article 140(1)(1) and Article 156(4) of the Act of 9 June 2011 on family support and the foster care system (Journal of Laws of 2024, items 177, 742, 743, 858 and 1572),

and financial resources for the maintenance of a dwelling in a multi-family building or a single-family house, referred to in Article 83(2) and Article 84(1) of the Act of 9 June 2011 on family support and the foster care system, in the part applicable to children placed in foster families or family-type children's homes and persons who have reached the age of majority while in foster care;

25) energy allowance for war veterans;

25a) compensation allowance granted under the Act of 24 January 1991 on veterans and certain persons who are victims of war and post-war repression (Journal of Laws of 2022, item 2039);

25b) energy allowance, cash benefit and cash assistance paid to persons entitled under the Act of 16 November 2006 on cash benefits and entitlements for civilian blind victims of war (Journal of Laws of 2021, item 1820);

25c) cash benefits or financial assistance granted under the provisions of the Act of 20 March 2015 on anti-communist opposition activists and persons repressed for political reasons (Journal of Laws of 2024, item 906);

25d) cash benefits granted on the basis of Article 9 of the Act of 22 November 2018 on the graves of veterans of the struggle for Poland's freedom and independence (Journal of Laws, item 2529);

26) benefits received in the event of individual misfortunes, natural disasters, long-term illness or death:

a) from the social fund, company social benefits fund, trade union funds or in accordance with separate regulations issued by the competent minister – regardless of their amount,

b) from other sources – up to an amount not exceeding PLN 6,000 in a tax year;

26a) benefits received as one-off financial assistance financed from the state budget or local government budgets in connection with a fortuitous event;

26b) amounts constituting reimbursement of costs for the care of a child or a dependent person, received on the basis of separate acts or executive regulations to these acts, financed from the state budget, local government budgets, the Labour Fund or the European Union budget;

27) benefits received in accordance with separate provisions for:

a) vocational, social and medical rehabilitation of disabled persons from the State Fund for Rehabilitation of Disabled Persons, from company funds for the rehabilitation of disabled persons or from company activity funds,

b) ad hoc or periodic financial assistance for war veterans and their surviving family members from the funds referred to in the Act of 24 January 1991 on war veterans and certain persons who are victims of war and post-war repression;

28) income obtained from the sale of real estate, parts thereof or shares in real estate forming part of an agricultural holding; the exemption does not apply to income obtained from the sale of land which, as a result of such sale, has lost its agricultural character;

28a) income obtained from the sale of a movable monument referred to in Article 3(3) of the Act of 23 July 2003 on the protection and care of monuments (Journal of Laws of 2024, items 1292 and 1907):

a) a museum within the meaning of the Act of 21 November 1996 on museums (Journal of Laws of 2022, item 385) being a cultural institution referred to in Chapter 2 of the Act of 25 October 1991 on the organisation and conduct of cultural activities (Journal of Laws of 2024, item 87), or

b) a library within the meaning of the Act of 27 June 1997 on libraries (Journal of Laws of 2022, item 2393);

29) income obtained from compensation paid in accordance with the provisions on real estate management or from the sale of real estate for purposes justifying its expropriation and from the sale of real estate in connection with the exercise of the right of first refusal by the purchaser, in accordance with the provisions on real estate management; this does not apply to cases where the owner of the real estate referred to in the first sentence acquired ownership of it within 2 years prior to the commencement of expropriation proceedings or the sale of the real estate for a price at least 50% lower than the amount of compensation obtained or the sale price of the real estate for purposes justifying its expropriation or in connection with the exercise of the right of first refusal;

29a) income obtained from:

a) compensation paid in accordance with the provisions of the Act of 11 August 2001 on special rules for the reconstruction, renovation, conversion and demolition of buildings destroyed or damaged as a result of natural disasters (Journal of Laws of 2024, item 1190, 1473 and 1717, and of 2025, item 680), including compensation for expropriation of real estate; this does not apply to cases where the owner of the property referred to in the first sentence acquired ownership of it within two years prior to the commencement of the expropriation proceedings for a price at least 50% lower than the amount of compensation obtained,

b) paid disposal of real estate or part thereof pursuant to the provisions of the Act of 11 August 2001 on special rules for the reconstruction, renovation, conversion and demolition of buildings destroyed or damaged as a result of natural disasters,

c) waiver of the obligation to pay the additional contribution referred to in Article 13h(4) of the Act of 11 August 2001 on special rules for the reconstruction, renovation, conversion and demolition of buildings destroyed or damaged as a result of natural disasters;

29aa) income obtained from compensation paid in accordance with Article 58 of the Act of 10 May 2018 on the Central Communication Port (Journal of Laws of 2024, item 1747) and from the sale of real estate in connection with the exercise by the purchaser of the right of first refusal referred to in Article 29b(1)(1) of the Act of 10 May 2018 on the Central Communication Port, or the sale of real estate on special terms specified in Article 29b(1)(2) of that Act; this does not apply to cases where the owner of the real estate referred to in the first sentence acquired its ownership within 2 years prior to the commencement of expropriation proceedings or the sale of the real estate for a price at least 50% lower than the amount of compensation obtained or the sale price of the real estate;

29ab) income from the annuity referred to in Article 29c of the Act of 10 May 2018 on the Central Transport Hub; this does not apply to cases where the owner of the property referred to in this provision acquired ownership of it within two years prior to the sale of the property at a price at least 50% lower than the sale price of the property;

29b) compensation for damage to a fixed asset, excluding a passenger car, in the part spent in the tax year or in the year

immediately following it for the renovation of that fixed asset or for the purchase or in-house production of a fixed asset classified in accordance with the Classification of Fixed Assets (KŚT) issued on the basis of separate regulations, hereinafter referred to as the "Classification", of the same type as the fixed asset to which the damage was related, whereby the provision of Article 23(1)(45) shall apply accordingly;

30) income obtained from the sale of perpetual usufruct rights and real estate acquired in accordance with the provisions on real estate management in exchange for property left abroad;

30a) income obtained from:

a) the exercise of the right to compensation under the Act of 8 July 2005 on the exercise of the right to compensation for leaving real estate outside the current borders of the Republic of Poland (Journal of Laws of 2017, item 2097), by persons entitled under that Act,

b) the sale of real estate or perpetual usufruct rights acquired in connection with the exercise of the right to compensation referred to in point (a), up to an amount corresponding to the percentage share of the value of that compensation in the price of the real estate or perpetual usufruct rights on the date of acquisition of the real estate or perpetual usufruct rights;

31) (repealed)

32) (repealed)

32a) (repealed)

32b) income from the exchange of goods or rights, if it does not exceed PLN 6,000 under a single contract;

33) (repealed)

34) (repealed)

35) (repealed)

36) income from running schools within the meaning of the provisions on the education system, in the part spent on school purposes in the tax year or in the following year;

37) income from the organisation of raffles and bingo games by an authorised entity based in the Republic of Poland on the basis of a permit issued under separate regulations, provided that it is allocated to socially useful purposes specified in the permit and the rules of the game;

38) benefits received by pensioners, disability pensioners or persons receiving teacher compensation benefits in connection with their previous employment relationship, employment relationship or cooperative employment relationship, including from trade unions, up to an amount not exceeding PLN 4,500 in a tax year;

39) scholarships and grants referred to in the Act of 20 July 2018 – Law on Higher Education and Science, and scholarships received under the programmes or projects referred to in Article 376(1) of that Act; in the case of scholarships awarded by a natural person or a legal person other than a state or local government legal person, the exemption applies provided that the rules for awarding them have been approved by the minister responsible for higher education and science;

39a) scholarships and other financial resources referred to in Article 18(2)(1) of the Act of 7 July 2017 on the National Agency for Academic Exchange (Journal of Laws of 2023, item 843);

39b) scholarships awarded by scientific institutes of the Polish Academy of Sciences and research institutes from their scholarship funds;

39c) scholarships referred to in Article 70b of the Act of 30 April 2010 on the Polish Academy of Sciences (Journal of Laws of 2020, item 1796);

39d) scholarships and other benefits received under the Polish-American Fulbright Commission scholarship exchange programme;

39e) scholarships referred to in Article 15(1) of the Act of 9 November 2017 on the Witold Pilecki Institute of Solidarity and Valour (Journal of Laws of 2022, item 475);

39ea) scholarships received under scholarship programmes Centre Juliusz Mieroszewski Dialogue;

39f) doctoral scholarships and other financial resources received as part of competitions for doctoral scholarships organised by the National Science Centre and research scholarships received on the basis of regulations adopted by the Council of the National Science Centre;

39g) income from awards, scholarships and grants awarded on the basis of the Act of 28 April 2022 on the Copernican Academy (Journal of Laws of 2024, item 463);

39h) scholarships referred to in Article 22(1) of the Act of 7 October 2022 on the Saint Maximilian Maria Kolbe Institute of Polish Language Development (Journal of Laws of 2024, items 1409 and 1473);

40) financial assistance for pupils and persons participating in other forms of education, coming from the state budget, local government budgets and schools' own funds, awarded on the basis of the provisions on the education system, and other scholarships for academic performance, the rules for awarding which have been approved by the minister responsible for education and upbringing;

40a) awards paid by the Polish Olympic Committee and the Polish Paralympic Committee for achieving results at the Olympic and Paralympic Games and awards paid by the Polish Deaf Sports Association for achieving results at the Deaflympics;

40b) scholarships for pupils and students, the amount and rules for granting which are specified in a resolution of the local government body, and scholarships for pupils and students awarded by the organisations referred to in Article 3(2) and (3) of the Act on Public Benefit Activity, on the basis of regulations approved by statutory bodies, made available to the public via the Internet, mass media or displayed (posted) for interested parties in generally accessible premises – up to an amount not exceeding PLN 3,800 in a tax year;

40c) reimbursement of travel expenses referred to in Article 39(3) and (4) of the Act of 14 December 2016 – Education Law;

40d) (repealed)

40e) cash benefit from the state budget, payable under Article 36 of the Act of 25 June 2010 on sport (Journal of Laws of 2024, item 1488);

41) (repealed)

42) (repealed)

43) income obtained from renting guest rooms in residential buildings located in rural areas on a farm to persons on holiday and income obtained from providing meals to such persons, if the number of rooms rented does not exceed 5;

44) income of members of Volunteer Fire Brigades obtained from participation in training, exercises, rescue operations, rescue actions and actions related to the elimination of natural disasters;

45) cash benefits and financial assistance granted under the Act of 31 May 1996 on persons deported to forced labour and imprisoned in labour camps by the Third Reich and the Union of Soviet Socialist Republics (Journal of Laws of 2021, item 1818);

45a) cash benefit granted under the Act of 14 August 2020 on cash benefits for persons exiled or deported by the authorities of the Union of Soviet Socialist Republics (Journal of Laws of 2021, item 2029);

46) income received by the taxpayer, if:

a) it comes from foreign governments, international organisations or international financial institutions from non-repayable aid, including from European Union framework programmes for research, technical development and presentation and from NATO programmes, granted on the basis of a unilateral declaration or agreements concluded with those countries, organisations or institutions by the Council of Ministers, the competent minister, government agencies or executive agencies, including in cases where the transfer of these funds is made through an entity authorised to distribute non-refundable aid, and

b) the taxpayer directly implements the objective of the programme financed from non-repayable aid; the exemption does not apply to the income of natural persons to whom the taxpayer directly implementing the programme's objective commissions, regardless of the type of contract, the performance of specific activities in connection with the programme being implemented by him;

46a) income received from the European Union institutions and the European Investment Bank, to which Regulation No 260/68 of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities applies (OJ EC L 056 of 4 March 1968, as amended);

46b) income of Members of the European Parliament elected in the Republic of Poland European Parliament on the basis of the internal regulations of the European Parliament

to cover the costs associated with the performance of their mandate as Members of the European Parliament;

46c) income earned by a contractor within the meaning of Article 2(e) of the Agreement between the Government of the Republic of Poland and the Government of the United States of America on Enhanced Defence Cooperation, signed in Warsaw on 15 August 2020 (Journal of Laws, items 2153 and 2154) residing in the territory of the Republic of Poland for the supply of goods and services to the US armed forces within the meaning of Article 2(a) of that Agreement or for the construction of infrastructure for those armed forces on the basis of a contract or subcontract concluded with or on behalf of those armed forces;

47) (repealed)

47a) subsidies from the state budget received for co-financing projects implemented under the Special Accession Programme for Agriculture and Rural Development (SAPARD);

47b) (repealed)

47c) (repealed)

47d) grants, subsidies, subsidies and other free or partially paid benefits received for purposes related to agricultural activity from the state budget, local government budgets, from government agencies, executive agencies, state organisational units with legal personality whose task is to provide agricultural advice, or from funds from foreign governments, international organisations or international financial institutions;

47da) benefits paid in connection with participation in the EU farm sustainability data network referred to in the Act of 7 March 2025 on the EU farm sustainability data network (FSDN) (Journal of Laws, item 368);

47e) amounts of written-off receivables referred to in Articles 24 and 39a of the Act of 9 May 2008 on the Agency for Restructuring and Modernisation of Agriculture (Journal of Laws of 2023, item 1199);

47f) amounts of annual subsidies and welcome payments to employee capital plans granted on the terms specified in the Act on Employee Capital Plans;

47g) amounts received as refunds on the terms specified in Article 85(4) and Article 86(2) of the Act on Employee Capital Plans;

47h) amounts of compensation paid under the Act of 9 May 2023 on the Agricultural Protection Fund (Journal of Laws, item 1130 and item 1964 of 2024), except for amounts paid in connection with the operation of special agricultural production departments, the income from which is taxed according to the scale referred to in Article 27(1) or on the terms referred to in Article 30c;

48) (repealed)

49) benefits received by:

a) persons referred to in Article 23(1) and (3) of the Act of 22 June 1995 on the accommodation of the Armed Forces of the Republic of Poland (Journal of Laws of 2024, item 1270) in respect of housing allowance,

b) professional soldiers for the housing benefit referred to referred to in Article 21(2)(3) of the Act referred to in point (a);

49a) cash equivalent in exchange for resignation from premises paid on the basis of the provisions on the State Protection Service;

50) 's income received in connection with the return of shares or contributions in a cooperative, up to the amount of shares or contributions made to the cooperative; 50a) the value of assets received in connection with the liquidation of a legal person or company, in the part constituting the cost of acquisition or subscription of shares (stocks) in that company or shares in the profits of a legal person;

50b) income from the transfer of ownership of assets constituting a non-cash contribution (contribution) to a company that is not a legal person, including assets contributed to such a company received by the taxpayer as a result of the liquidation of a company that is not a legal person or withdrawal from such a company or reduction of the capital share in such a company;

51) income received from the reimbursement to partners of additional payments made to the company in accordance with separate regulations – in the amount specified in PLN on the date of their actual contribution;

51a) amounts constituting 50% of the income obtained by a limited partner from participation in the profits of a limited partnership having its registered office or management board in the territory of the Republic of Poland, with the exception of income obtained by a limited partner from payments of distributed profits of the company achieved during the period of taxation with a lump sum on the income of companies, in accordance with the provisions

Chapter 6b of the Corporate Income Tax Act, but not more than PLN 60,000 in a tax year separately for participation in profits in each such limited partnership in which the taxpayer is a limited partner;

52) interest and compensation amounts received under the provisions of the Act of 20 December 1996 on the rules for making advance payments for passenger cars (Journal of Laws, item 776);

53) the value of monetary compensation received under the provisions on compensation for periodic non-increases in wages in the budgetary sphere and the loss of certain increases or supplements to pensions and disability benefits;

54) (repealed)

55) (repealed)

56) (repealed)

57) (repealed)

58) payments:

a) transfer of funds accumulated under an employee pension scheme to another employee pension scheme or to an individual pension account within the meaning of the provisions on individual pension accounts,

b) funds accumulated in an employee pension scheme made on behalf of the participant or persons entitled to these funds after the participant's death,

c) funds accumulated in a group life insurance scheme linked to an investment fund or in another form of group accumulation of funds for retirement purposes for employees – to an employee pension scheme in accordance with the provisions on employee pension schemes

– subject to paragraph 33;

58a) income from savings in an individual pension account, within the meaning of the provisions on individual pension accounts, obtained in connection with:

a) the accumulation and withdrawal of funds by the saver,

b) the payment of funds to persons entitled to those funds after the death of the saver,

c) transfer payments

– provided that the exemption does not apply if the saver accumulated savings in more than one individual pension account, unless these provisions provide for such a possibility;

58aa) income from the accumulation of savings in an OIPE sub-account within the meaning of Article 2(9) of the OIPE Act obtained in connection with:

a) the accumulation of savings and the payment of funds by the saver within the meaning of Article 2(7) of the OIPE Act,

b) the payment of funds to persons entitled to those funds after the death of the saver within the meaning of Article 2(7) of the OIPE Act,

c) transfer payments

– on the basis of the provisions of the OIPE Act, except that the exemption does not apply if the saver simultaneously accumulated savings in more than one OIPE sub-account, unless these provisions provide for such a possibility;

58ab) income received by a spouse from the reimbursement of funds pursuant to Articles 20–22 of the OIPE Act;

58ac) income from the accumulation of savings in a sub-account within the meaning of Article 2(23) of Regulation 2019/1238, maintained in accordance with the provisions in force in a Member State of the European Union other than the Republic of Poland, if the income (income) from such benefits would not be subject to personal income tax in full or would be exempt from such tax in a Member State of the European Union other than the Republic of Poland, in accordance with the provisions of which such a sub-account is maintained, if the payment was made to a person residing in that country;

58b) payments transfers of funds accumulated by a saver on individual pension security account:

a) between financial institutions maintaining individual pension security accounts,

b) to the individual pension security account of the beneficiary, after the death of the saver,

c) in liquidation or bankruptcy proceedings to the saver's individual pension security account;

58c) income from participation in an employee capital plan , within the meaning of the Act on Employee Capital Plans, in connection with:

a) the accumulation of funds in the account of the employee capital plan by a participant in the employee capital plan,

b) the payment of funds accumulated in the employee capital plan, in the cases specified in Article 97(1) of the Act on Employee Capital Plans, subject to Article 30a(1)(11a) and (11b),

c) transfer payment of funds accumulated in an employee capital plan
capital plan;

58d) payments from a term savings account or term deposit account, referred to in Article 80 (2) and Article 102 (3) of the Act on Employee Capital Plans, subject to Article 30a(11e) and (11f);

59) payments from an open pension fund to the former spouse of a member of that fund, transferred to that spouse's account in an open pension fund;

59a) financial assistance , referred to in the Act of 20 May 2005 on financial assistance for certain pensioners, disability pensioners and persons receiving pre-retirement benefits or pre-retirement allowances in 2007. (Journal of Laws, item 852, of 2006, items 708 and 711, and of 2007, item 219);

59b) the amount of contributions recorded in the sub-account referred to in Article 40a of the Act of 13 October 1998 on the social insurance system (Journal of Laws of 2024, items 497, 863, 1243 and 1615), a member of an open pension fund transferred to a former spouse to the sub-account referred to in Article 40e of that Act;

60) (repealed)

61) amounts of student loans and medical study loans granted under the provisions of the Act of 20 July 2018 – Law on Higher Education and Science;

62) (repealed)

63) cash assistance, cash benefits, compensation allowances and energy allowances granted under the Act of 2 September 1994 on cash benefits and entitlements for soldiers of the substitute military service forcibly employed in coal mines, quarries, uranium ore plants and construction battalions (Journal of Laws of 2021, item 1774);

63a) taxpayers' income, subject to paragraphs 5a–5cd, obtained from economic activity conducted in a special economic zone on the

on the basis of the permit referred to in Article 16(1) of the Act of 20 October 1994 on special economic zones (Journal of Laws of 2023, item 1604), whereby the amount of public aid granted in the form of this exemption may not exceed the amount of public aid for an entrepreneur permissible for areas eligible for the highest amount of aid, in accordance with separate regulations;

63b) taxpayers' income, subject to paragraphs 5a-5cd, from economic activity achieved from the implementation of a new investment specified in the support decision referred to in the Act of 10 May 2018 on supporting new investments (Journal of Laws of 2024, item 459), and obtained in the area specified in that support decision, provided that the amount of public aid granted in the form of this exemption may not exceed the amount of public aid for an entrepreneur, permissible for areas eligible for the highest amount of aid, in accordance with separate regulations;

64) supplements to family pensions for orphans, paid on the basis of separate regulations;

65) nd sickness benefits paid on the basis of separate provisions on social insurance for farmers and social insurance for members of agricultural production cooperatives, agricultural circles cooperatives and their families, in the part corresponding to the share of income from agricultural activity, with the exception of specialised agricultural production, in the distributable income of the cooperative;

66) (repealed)

67) the value of benefits received by an employee in connection with the financing of social activities referred to in the provisions on the company social benefits fund, benefits in kind and cash benefits received by him in this respect, financed in full from the company social benefits fund or trade union funds, up to a total amount not exceeding PLN 1,000 in a tax year; vouchers, coupons and other tokens entitling the holder to exchange them for goods or services are not considered benefits in kind;

67a) benefits received from the company social benefits fund related to the stay of children of persons entitled to these benefits in nurseries, children's clubs or kindergartens;

67b) benefits which are not financed from the company social benefits fund, received from the employer for the care of an employee's child by a childminder or for the employee's child attending a nursery, children's club or kindergarten, up to a monthly amount not exceeding PLN 1,000 for each child referred to in Article 27f(1);

68) the value of prizes won in competitions and games organised and broadcast (announced) by the mass media (press, radio and television) and competitions in the fields of science, culture, art, journalism and sport, as well as prizes related to the bonus sale of goods or services – if the single value of such winnings or prizes does not exceed PLN 2,000; the tax exemption for prizes related to the sale of goods or services does not apply to prizes received by a taxpayer in connection with their non-agricultural business activity, constituting income from that activity;

68a) the value of free benefits referred to in Article 20(1) received from a service provider in connection with its promotion or advertising – if the one-off value of these benefits does not exceed PLN 200; the exemption does not apply if the benefit is provided to an employee of the service provider or a person in a civil law relationship with the service provider;

69) (repealed)

70) (repealed)

71) income from the sale of plant and animal products from own cultivation or breeding, not constituting special sections of agricultural production, processed industrially, if the processing consists in the ensiling of plant products or the processing of milk or the slaughter of animals for slaughter and the post-slaughter processing of these animals, including the cutting, division and classification of meat;

71a) income referred to in Article 20(1c), up to PLN 100,000 per year;

72) income from the sale of herbal raw materials and wild forest herbs, berries, forest fruits and forest mushrooms (PKWiU ex 02.30.40.0) – from harvesting carried out personally or with the participation of immediate family members;

73) amounts of one-off financial assistance paid to victims of Nazi persecution by the Polish-German Reconciliation Foundation;

74) received from abroad:

a) disability pensions for war-related disability,

b) allowances granted to war victims and their family members,

c) accident pensions for persons whose disability arose in connection with forced labour in the Third German Reich between 1939 and 1945,

– provided that a document from a foreign institution confirming the nature of the benefit granted is presented to the payer;

75) pensions paid to victims of repression and their family members, granted on the terms specified in the regulations on the provision of benefits to war and military invalids and their families;

76) allowances and pocket money for foreign guests visiting Poland under programmes and agreements, and the value of meals for interpreters (guides) accompanying these guests, with the exception of equivalents for these meals;

77) cash equivalents for the lack of residential premises paid to officers of the Prison Service and the Customs and Tax Service up to an amount not exceeding PLN 2,280;

77a) housing benefits paid to officers of the Police, Border Guard, State Protection Service, State Fire Service, Internal Security Agency, Intelligence Agency, Military Counterintelligence Service and Military Intelligence Service;

77b) income from the costs covered by the State Treasury for temporary accommodation of officers of the Police, Border Guard, State Protection Service, the Internal Security Agency, the Intelligence Agency, the Military Counterintelligence Service, the Military Intelligence Service and the State Fire Service, who have been transferred ex officio to perform their duties or delegated ex officio to perform their duties temporarily in another organisational unit or location;

77c) cash equivalent for lack of residential premises paid to officers of the State Protection Service;

78) subsidies for: holidays organised by entities operating in this field, in the form of holidays, summer camps, camps and winter camps, including those combined with education, stays at health resorts, in medical and health resort facilities , rehabilitation and training facilities

and medical and care facilities, as well as travel related to such recreation and treatment stays – for children and young people under 18 years of age:

a) from the social fund, the company social benefits fund and in accordance with separate regulations issued by the competent minister – regardless of their amount,

b) from other sources – up to an amount not exceeding PLN 2,000 in a tax year;

78a) (repealed)

79) social assistance benefits;

79a) remuneration for care granted by a court on the basis of Article 162 of the Family and Guardianship Code;

80) income from employment received in candidate service by officers of the Police, Border Guard, State Fire Service and Prison Service;

81) (repealed)

82) salaries of officers of the United Nations, specialised organisations and other international institutions and organisations of which the Republic of Poland is a member and whose statutes provide for exemption from tax on salaries paid by them, provided that the taxpayer has documents confirming that he or she is an officer of such an organisation or institution;

82a) the amounts of salary increases referred to in Article 121a(10) of the Act of 6 April 1990 on the Police (Journal of Laws of 2024, item 145, as amended[2)]), in Article 125a(10) of the Act of 12 October 1990 on the Border Guard (Journal of Laws of 2024, item 915, as amended[3)]), in Article 105a(10) of the Act of 24 August 1991 on the State Fire Service (Journal of Laws of 2024, items 1443, 1473, 1717, 1871 and 1907), in Article 136a(3a) of the Act of 24 May 2002 on the Internal Security Agency and the Foreign Intelligence Agency (Journal of Laws of 2024, items 812, 1222, 1562, 1684 and 1871), in Article 96a(3a) of the Act of 9 June 2006 on the service of officers of the Military Counterintelligence Service and the Military Intelligence Service (Journal of Laws of 2023, item 2098 and of 2024

[2]Amendments to the consolidated text of the aforementioned Act were published in the Journal of Laws of 2024, items 1006, 1089, 1222, 1248, 1473, 1562, 1688, 1717 and 1871.

[3)] Amendments to the consolidated text of the aforementioned Act were published in the Journal of Laws of 2024, items 1089, 1222, 1248, 1473, 1562, 1688, 1717 and 1871.

item 1871), in Article 102a(3a) of the Act of 9 June 2006 on the Central Anti-Corruption Bureau (Journal of Laws of 2024, item 184, 1222 and 1871), in Article 60a(10) of the Act of 9 April 2010 on the Prison Service (Journal of Laws of 2024, items 1869 and 1871), in Article 231(11) of the Act of 16 November 2016 on the National Revenue Administration (Journal of Laws of 2023, item 615, as amended[4)]), in Article 193(10) of the Act of 8 December 2017 on the State Protection Service (Journal of Laws of 2024, items 325, 1222 and 1871), in Article 86(10) of the Act of 26 January 2018 on the Marshal's Guard (Journal of Laws of 2023, item 1729 and of 2024, item 1871), in Article 454(9) of the Act of 11 March 2022 on the Defence of the Homeland (Journal of Laws of 2024, item 248, as amended[5)]), and the amounts of the increase in maternity allowance referred to in Article 31(3a) of the Act of 25 June 1999 on cash benefits from social insurance in the event of sickness and maternity (Journal of Laws of 2023, item 2780 and of 2024, item 1871);

83) benefits granted on the basis of separate acts or executive regulations issued on the basis of these acts to soldiers and military personnel performing tasks outside the country:

a) as part of a military unit used to participate in an armed conflict or to reinforce the forces of a state or allied states, a peacekeeping mission, or an operation to prevent acts of terrorism or their consequences,

b) as a military observer or a person with military observer status in peacekeeping missions of international organisations and multinational forces

– with the exception of remuneration for work and salaries and other monetary entitlements due for performing service;

83a) benefits granted on the basis of separate acts or executive regulations issued on the basis of these acts to police officers, Customs and Tax Service officers and Border Guard officers, employees of police units or organisational units of the Border Guard performing tasks outside the country as part of a contingent in order to participate in:

[4)] Amendments to the consolidated text of the aforementioned Act were published in the Journal of Laws of 2023, items 556, 588, 641, 658, 760, 996, 1059, 1193, 1195, 1234, 1598, 1723 and 1860, and in 2024, items 850, 863, 879,
1222, 1685, 1721 and 1871.

[5]Amendments to the consolidated text of the aforementioned Act were published in the Journal of Laws of 2024, items 834, 1089, 1222, 1248, 1585, 1871 and 1907.

a) peacekeeping mission, including as an observer in a peacekeeping mission of an and multinational forces,

b) actions to prevent acts of terrorism or their consequences,

c) organisation and control of border traffic, organisation of state border protection or ensuring security in international communication

– except for remuneration for work and salaries and other monetary entitlements due for performing service;

83b) remuneration for providing assistance to state services or the Internal Oversight Office, paid from the operational fund, referred to in separate acts;

83c) benefits granted on the basis of Article 14 of the Act of 25 June 1997 on crown witnesses (Journal of Laws of 2016, item 1197) and granted on the basis of Article 7 of the Act of 28 November 2014 on protection and assistance for victims and witnesses (Journal of Laws of 2015, item 21 and of 2024, item 1228), as well as other benefits of a similar nature received in connection with the disclosure to the law enforcement authorities of information concerning persons involved in the commission of a crime and the relevant circumstances of its commission;

83d) benefits granted on the basis of separate laws or provisions executive regulations issued on the basis of these acts:

a) soldiers seconded to an office, organisation or international institution or a foreign state, where tasks related to the defence of the Republic of Poland are performed,

b) Police and Border Guard officers seconded or delegated to perform duties outside the country as part of the tasks specified in European Union law or international agreements binding on the Republic of Poland to an office, an organisation, international institution or foreign state, where they perform tasks related to ensuring internal security and public order, protecting the border of the Republic of Poland, and preventing and combating illegal migration

– with the exception of salaries and other monetary entitlements due for performing service;

84) the value of benefits in respect of entitlements to reduced fares on public rail and bus transport, resulting from the provisions on entitlements to reduced fares on public transport;

85) the value of benefits in respect of the exercise of rights to reduced-fare or free travel on public transport, granted on the basis of separate provisions;

86) (repealed)

87) the value of benefits granted on the basis of separate regulations concerning pensioners, disability pensioners and veterans who are disadvantaged in terms of television and radio licence fees;

88) (repealed)

89) the value of benefits received by students from universities, on the basis of separate regulations, in connection with the university's referral to student internships;

90) the value of benefits granted in accordance with separate regulations by the employer for improving professional qualifications, with the exception of remuneration received for time off work for all or part of the working day and for training leave;

90a) benefits referred to in Article 19(2), Articles 26–28, Article 29a, Article 36 and Article 36a(1) of the Act of 19 August 2011 on veterans of operations outside the country (Journal of Laws of 2023, item 2112 and of 2025, item 1180);

90b) benefits obtained in connection with participation in unpaid training in palliative or hospice care organised by the organisations referred to in Article 3(2) and (3) of the Act on Public Benefit Activity, or professional self-government bodies of doctors or nurses and midwives, having their registered office and operating in a Member State of the European Union or another country belonging to the European Economic Area or the Swiss Confederation;

90c) benefits referred to in Article 145ga(2) and (6) of the Act of 6 April 1990 on the Police, in Article 147j(2) and (2d) of the Act of 12 October 1990

o Border Guard Act, in Article 49i(2) and (6) of the Act of 24 August 1991

o State Fire Service, in Article 9b(1) and (5) of the Act of 17 December 1998 on the rules for the use or stay of the Armed Forces of the Republic of Poland outside the country (Journal of Laws of 2023, item 755), in Article 85b(2) and (6) of the Act

of 24 May 2002 on the Internal Security Agency and the Foreign Intelligence Agency, in Article 288(14) and (18) of the Act of 11 March 2022 on the Defence of the Homeland, in Article 4a(2) and (6) of the Act of 9 June 2006 on the Service of Officers of the Military Counterintelligence Service and the Military Intelligence Service, and in Article 144a(2) and (6) of the Act of 8 December 2017 on the State Protection Service;

91) increases (increases) in the form of family allowances paid through the payer in the case of foreign pensions and disability pensions, provided that a document confirming the amount of the increase is presented to the payer;

92) benefits received on the basis of separate regulations by family members of deceased employees and deceased pensioners, up to an amount not exceeding PLN 3,000 in a tax year;

93) income obtained from the purchase of company residential buildings or premises by existing tenants – in an amount corresponding to the difference between the market price of these buildings or premises and the purchase price;

94) remuneration received by members of agricultural production cooperatives for the use of land contributions made by the cooperatives;

95) interest on late payment of remuneration and benefits referred to in
referred to in Article 10(1)(1);

95a) interest on late payment of social insurance benefits
;

95b) interest on late payment of amounts not subject to income tax, exempt from income tax or from which tax collection has been waived under the provisions of the Tax Ordinance;

96) (repealed)

97) housing allowances and lump sums for the purchase of fuel, granted on the basis of separate provisions on housing allowances;

97a) energy allowance received by a vulnerable electricity consumer within the meaning of the provisions of the Act of 10 April 1997 – Energy Law;

97b) amounts due for:

a) overdue rent for residential premises,

b) overdue payments for the supply of energy, gas, water and sewage, waste and liquid waste collection to residential premises,

c) compensation for non-contractual use of residential premises,

d) interest on the amounts referred to in points a–c,

e) unregulated costs of investigation and enforcement of receivables referred to in points (a) to (d), including those awarded by a final enforcement title, together with the costs of court and enforcement proceedings

– written off pursuant to Article 59(1) of the Act of 27 August 2009 on public finances (Journal of Laws of 2024, items 1530, 1572, 1717, 1756 and 1907) or the resolution referred to in Article 59(3) of that Act;

98) veterans' allowance and allowance for secret teaching granted on the basis of separate provisions;

98a) amounts of reimbursement for paid contributions for compulsory civil liability insurance for motor vehicle owners or for voluntary comprehensive motor vehicle insurance, granted on the basis of the Act of 29 May 1974 on the provision of benefits to war and military invalids and their families (Journal of Laws of 2023, item 1100 and of 2024, item 1243);

98b) reimbursement of the amount of the discount for the payment by a war and military invalid of the premium for compulsory civil liability insurance or the premium for voluntary comprehensive insurance, received from the pension authority;

99) (repealed)

100) pensions or disability benefits received by persons who lost their sight as a result of military operations during the war of 1939–1945 or explosions of unexploded ordnance remaining after that war, provided that the taxpayer:

a) a decision recognising a person as visually impaired in group I or II, issued by the competent authority,

b) medical (hospital) documentation from the period of the accident confirming the accident, or a notarised statement from two witnesses confirming the loss of sight as a result of warfare in 1939-1945 or the explosion of unexploded ordnance left over from that war,

c) a current certificate medical ophthalmological of traumatic damage to vision, or a current certificate from a

forensic medical examination confirming the loss or impairment of as a result of the events referred to in point (b), or

d) a valid membership card of the Association of Blind Civilian Victims of War or the Association of Blind Soldiers of the Republic of Poland;

100a) supplementary benefit received on the basis of the provisions on supplementary benefits for persons unable to live independently;

101) income obtained by blood donors in the form of compensation referred to in Article 11(1) of the Act of 22 August 1997 on public blood services (Journal of Laws of 2024, item 1782);

102) reimbursement of costs received by an unemployed person or job seeker under the Act of 20 March 2025 on the labour market and employment services for:

a) travel to the place of work,

b) travel to medical or psychological examinations,

c) travel to the place of internship, training, career counselling or assistance in active job search,

d) travel to the place of community service,

e) accommodation at the place work or place of internship or training,

f) travel for the purpose of knowledge confirm and skills the acquisition of or obtaining a document confirming the acquisition of knowledge and skills,

g) travel to the place of social reintegration activities;

102a) income (revenue) obtained from:

a) benefits received by unemployed persons and job seekers as part of the implementation of measures referred to in Article 197 of the Act of 20 March 2025 on the labour market and employment services, and by participants in pilot projects referred to in Article 2(33) and Article 211 of that Act,

b) specific elements supporting employment within the meaning of Article 2(41) of the Act of 20 March 2025 on the labour market and employment services received by the unemployed and job seekers under special programmes within the meaning of Article 2(31) of that Act,

c) benefits received under a continuing education voucher or a settlement voucher referred to in Article 107(3) and Article 208 of the Act of 20 March 2025 on the labour market and employment services,

d) scholarships received under the Act of 20 March 2025 on the labour market and employment services, and supplements to scholarships referred to in Article 121 of that Act;

103) (repealed)

104) cash benefits and the value of benefits in kind received by a member of parliament or senator pursuant to Article 23(3), Article 43(1), Article 44(1) and (2) and Article 46 of the Act of 9 May 1996 on the performance of the mandate of a member of parliament and senator (Journal of Laws of 2024, item 907);

105) income obtained from the sale of shares in a capital company, shares in a cooperative, securities and from the redemption, repurchase, buyback or destruction in any other manner of titles to participation in capital funds and from the sale of such titles to participation, received by way of donation – in the part corresponding to the amount of inheritance and gift tax paid;

105a) income obtained from the sale of shares acquired or purchased by the taxpayer or the taxpayer's testator as a result of an initial public offering within the meaning of Article 4(5) of the Act of 29 July 2005 on public offerings and conditions governing the introduction of financial instruments to organised trading and on public companies (Journal of Laws of 2024, items 620 and 1863), if:

a) the sale of these shares took place after three years from the date on which they were admitted to trading on a regulated market or introduced to an alternative trading system within the meaning of the Act of 29 July 2005 on Trading in Financial Instruments, and

b) the taxpayer or the taxpayer's testator who acquired or purchased these shares were not related parties to the company within the meaning of Article 23m(1)(4) during the two years preceding the date of acquisition or purchase of these shares by the taxpayer or the taxpayer's testator, respectively;

106) compensation received on the basis of a United Nations Security Council resolution paid to persons affected by the war in Kuwait;

107) awards paid on the basis of regulations issued by the competent minister on the organisation of rehabilitation classes in psychiatric hospitals and the rewarding of participants in these classes;

108) amounts of financial assistance and the value of other benefits financed from budgetary funds, granted to repatriates and persons applying for international protection;

109) revenues referred to in Article 17(1)(9), subject to Article 24(23) – if the subject of the non-cash contribution is an enterprise or an organised part thereof, and the company or cooperative receiving the contribution has accepted, for tax purposes, the assets comprising that enterprise or organised part thereof at the value resulting from the tax books of the entity making the contribution;

110) the value of benefits due to persons performing foreign service tasks in a foreign establishment and the value of benefits due to employees of Polish budgetary units based outside the Republic of Poland, resulting from separate acts or executive regulations issued on their basis, with the exception of remuneration for work, cash equivalent for holiday leave, and sickness and maternity benefits;

111) interest received in connection with the refund of overpaid tax liabilities and other budgetary receivables, as well as interest on the refund of the difference in tax on goods and services, within the meaning of separate regulations;

112) reimbursement of an employee's travel expenses to the workplace, if the obligation to bear these costs by the workplace results directly from the provisions of other acts;

113) the value of benefits received by volunteers under the Act on public benefit activities;

114) the value of free or partially paid services received and the value of benefits in kind financed or co-financed from the state budget, local government units, government agencies, executive agencies or from funds provided by foreign governments, international organisations or international financial institutions, under government programmes and programmes for the implementation of partnership agreements and development programmes referred to in the provisions on the implementation of EU funds;

115) winnings and prizes received by students for participating in competitions, tournaments and Olympiads organised on the basis of the provisions on the education system;

116) direct payments applied under the Common Agricultural Policy of the European Union, received on the basis of separate regulations;

116a) written-off receivables and claims due to paying agencies under the Common Agricultural Policy, as well as receivables from undue or excessive payments under direct support schemes and under rural development support with the participation of funds from the European Agricultural Fund for Rural Development, which have been waived;

117) the value of benefits received from volunteers, provided on the terms specified in the Act on Public Benefit Activity;

117a) the value of free legal aid provided to a person who is eligible for and receives social assistance or family allowance, granted by way of an administrative decision on the terms specified in and in the provisions of on social assistance and in the provisions on family benefits;

118) the value of free or partially paid benefits and the value of benefits in kind, in respect of:

a) fees referred to in Articles 103 and 104 of the Act of 20 March 2025 on the labour market and employment services,

b) training,

c) confirmation of the acquisition of knowledge and skills or obtaining a document confirming the acquisition of knowledge and skills,

d) medical or psychological examinations,

e) accident insurance,

f) cancellation of educational loans referred to in Article 111 of the Act of 20 March 2025 on the labour market and employment services

– obtained on the basis of the Act of 20 March 2025 on the labour market and employment services;

118a) the value of free or partially paid social services provided to a person on the basis of the social services programme referred to in the Act of 19 July 2019 on the provision of social services by social service centres (Journal of Laws, item 1818);

119) interest on securities issued by the State Treasury and bonds issued by local government units, in part

corresponding to the amount of interest paid on the purchase of these securities from the issuer;

120) compensation paid, on the basis of court judgments and concluded agreements (settlements), to holders of land forming part of an agricultural holding, on account of:

a) the establishment of land easements,

b) land reclamation,

c) damage to agricultural crops and tree stands

– as a result of investments carried out on these lands by entities authorised under separate regulations, concerning the construction of infrastructure for the transmission of crude oil and refined petroleum products and the construction of technical infrastructure facilities referred to in Article 143(2) of the Act of 21 August 1997 on real estate management (Journal of Laws of 2024, items 1145, 1222, 1717 and 1881);

120a) remuneration received for establishing transmission easements within the meaning of the provisions of civil law;

121) funds for establishing or joining a social cooperative, referred to in Article 161 of the Act of 20 March 2025 on the labour market and employment services; 121a) co-financing for undertaking economic activity business activity, referred to referred to in Article 147(1) of the Act of 20 March 2025 on the labour market and employment services

;

122) own contribution of a public entity referred to in Article 2(5) of the Act on Public-Private Partnership, received by a private partner and allocated to the objectives specified in the agreement on public-private partnership

-private partnership agreement xml-ph-0004@deepl.internal, subject to paragraph 19;

123) (repealed)

124) interest subsidies on preferential loans applied on the basis of the Act of 8 September 2006 on financial support for families and other persons in purchasing their own home (Journal of Laws of 2023, item 1296);

125) the value of benefits in kind and other gratuitous benefits, calculated in accordance with Article 11(2)-(2b), received from persons classified in tax groups I and II within the meaning of the provisions on inheritance and gift tax, subject to paragraph 20;

125a) the value of benefits in kind and other gratuitous benefits, calculated in accordance with Article 11(2)-(2b), received by the enterprise as an inheritance from

persons referred to in Article 3 of the Act on Succession Management, subject to paragraph 20;

126) (repealed)

127) maintenance payments:

a) for children under 25 years of age and children of any age who, in accordance with separate regulations, receive a care allowance (supplement) or social pension,

b) for persons other than those referred to in point (a), received on the basis of a court judgment or court settlement, up to a maximum of PLN 700 per month;

128) benefits paid to unemployed persons referred to perform socially useful work;

129) subsidies, within the meaning of public finance regulations, received from the state budget or local government budgets, subject to paragraph 36;

129a) benefits, in particular subsidies and amounts of cancelled loans, received from funds of the National Fund for Environmental Protection and Water Management or provincial environmental protection funds and gos-water management, for the preparation of documentation and implementation of the project, including funds made available to banks in accordance with Article 411(10) of the Act of 27 April 2001 – Environmental Protection Law (Journal of Laws of 2024, item 54, as amended[6)]);

129b) (repealed)

130) interest or discount from bonds issued by Treasury of the State and offered on foreign markets, as well as income from the sale of these bonds obtained by natural persons referred to in Article 3(2a);

130a) interest or discount on mortgage bonds obtained by natural persons referred to in Article 3(2a);

130b) interest or discount on bonds issued by Bank Gospodarstwa Krajowego and offered on foreign markets, intended to finance the statutory objectives of Bank Gospodarstwa Krajowego, relating to supporting the economic policy of the Council of Ministers, implementation

6) Amendments to the consolidated text of the aforementioned Act were published in the Journal of Laws of 2024, items 834, 1089, 1222, 1847, 1853, 1881, 1914, 1940 and 1946.

government socio-economic programmes and local government and regional development programmes, and income from the sale of these bonds obtained by taxpayers referred to in Article 3(2a);

130c) income earned by the taxpayer referred to in Article 3(2a) from interest or discount on bonds:

a) with a maturity of not less than one year,

b) admitted to trading on a regulated market or introduced to an alternative trading system within the meaning of the provisions of the Act of 29 July 2005 on trading in financial instruments, in the territory of the Republic of Poland or in the territory of a country that is a party to a double taxation agreement concluded with the Republic of Poland, the provisions of which specify the rules for taxation of income from dividends, interest and royalties

– unless, at the time of generating the income, the taxpayer is a related entity within the meaning of Article 23m(1)(4) or within the meaning of Article 11a(1)(4) of the Corporate Income Tax Act with the issuer of these bonds and holds, directly or indirectly, together with other related entities within the meaning of those provisions, more than 10% of the nominal value of those bonds;

130d) interest or discount on bonds issued by the Bank Guarantee Fund and offered on foreign markets and income from the sale of these bonds, obtained by taxpayers referred to in Article 3(2a);

131) income from the sale of real estate and property rights referred to in Article 30e, in an amount corresponding to the product of that income and the share of expenses incurred for own housing purposes in the income from the sale of real estate and property rights, if, starting from the date of the sale, no later than within three years from the end of the tax year in which the sale took place, the income obtained from the sale of that real estate or property right was spent on own housing purposes; documented expenses incurred for these purposes are taken into account up to the amount of income from the sale of real estate and property rights;

131a) income from the lease of residential premises or single-family residential buildings to social rental agencies referred to in Article 22a(1) of the Act of 26 October 1995 on social forms of housing development (Journal of Laws of 2024, items 1440 and 1635),

132) awarded by domestic and foreign authorities and their offices, including organisational units subordinate to or supervised by them, as well as domestic, foreign and international organisations (institutions) and their bodies, awards:

a) for outstanding achievements in the fields of science, culture and art,

b) for activities promoting human rights

– in the part transferred as a donation by taxpayers who received these awards to an institution pursuing the objectives specified in Article 4 of the Act on Public Benefit Activity, subject to paragraph 31;

133) thermal modernisation bonus, renovation bonus and compensation bonus obtained on the basis of the Act on supporting thermal modernisation and renovations and on the central register of building emissions;

134) cash benefits received under the Act of 7 May 2009 on compensation for the families of victims of collective freedom movements in 1956-1989 (Journal of Laws of 2020, item 678);

135) amounts of receivables written off under the Act of 19 June 2009 on state aid for the repayment of certain housing loans granted to persons who have lost their jobs (Journal of Laws of 2016, item 734);

136) payments for the implementation of projects under programmes financed with European funds, received from Bank Gospodarstwa Krajowego, excluding payments received by contractors;

137) funds received by a project participant as aid granted under a programme financed with the funds referred to in Article 5(3)(1), (2) and (4), (5)(a) and (b) and (5a) to (5d) of the Act of 27 August 2009 on public finance;

138) amounts of financial support granted under the Act of 27 September 2013 on state aid for the purchase of a first home by young people (Journal of Laws of 2022, item 2628);

139) amounts of reimbursement of expenses referred to in Article 20(1) of the Act of 27 September 2013 on state aid for young people purchasing their first home;

140) the amount determined in accordance with Article 27f(8)-(10);

141) exemption from the fee for issuing a Large Family Card or a duplicate Large Family Card to a member of a large family pursuant to the Act of 5 December 2014 on the Large Family Card (Journal of Laws of 2024, item 1512);

142) amounts of cancelled liabilities not related to non-agricultural economic activity, if the cancellation of liabilities is related to bankruptcy proceedings;

143) borrowers' income from:

a) of cancelled receivables received on the basis of the Act of 9 October 2015 on support for borrowers who have taken out a mortgage loan and are in a difficult financial situation (Journal of Laws of 2024, item 1385),

b) non-refundable amounts covered by the lender's funds for the additional verification period referred to in Article 8a(7) of the Act referred to in point (a);

144) the value of food and accommodation provided free of charge by a farmer to a farm worker or a farm assistant within the meaning of of the Act of 20 December 1990 on social insurance for farmers;

145) amounts of subsidies granted under the Act of 20 July 2018 on state aid for housing expenses in the first years of renting a flat (Journal of Laws of 2024, item 506);

146) income earned by taxpayers residing in

the territory of the Republic of Poland from:

a) the free acquisition of fixed assets o r intangible assets, including information obtained in the industrial, commercial or scientific field (know-how),

b) free acquisition of the right to use fixed assets or intangible assets, including information obtained in the industrial, commercial or scientific field (know-how), on the basis of a loan agreement or a similar agreement,

c) acquisition of training services free of charge,

d) receipt of non-repayable financial support, provided that such support is intended and will be used exclusively for military products

– that are the subject of an offset obligation under the performance of agreements concluded by the Treasury of the State, whose entry into force and

the statement of performance was approved by the Council of Ministers in accordance with the Act of 26 June 2014 on certain contracts concluded in connection with the implementation of orders of fundamental importance to national security (Journal of Laws of 2022, item 1218);

147) special awards of the Prime Minister granted pursuant to Article 31a of the Act of 8 August 1996 on the Council of Ministers (Journal of Laws of 2024, items 1050 and 1473);

147a) awards referred to in Article 14(1) of the Act of 9 November 2017 on the Witold Pilecki Institute of Solidarity and Valour;

148) income:

a) from a service relationship, employment relationship, outwork relationship, cooperative employment relationship,

b) from contracts of mandate referred to in Article 13(8),

c) from graduate internships referred to in the provisions of the Act of 17 July 2009 on graduate internships ( ) (Journal of Laws of 2018, item 1244)

d) for completing a student internship referred to in Article 121a of the Act of 14 December 2016 – Education Law,

e) from the maternity allowance referred to in the Act of 25 June 1999 on cash benefits from social insurance in the event of sickness and maternity

– received by the taxpayer until reaching the age of 26, up to an amount not exceeding PLN 85,528 in a tax year;

148a) amounts received from obligated entities referred to in Article 10(2) of the Act of 20 May 2016 on energy efficiency (Journal of Laws of 2024, items 1047 and 1946), as a result of the implementation of subsidy programmes referred to in Article 15a of that Act;

149) the allowance referred to in Article 16j(6) of the Act of 5 December 1996 on the professions of physician and dentist (Journal of Laws of 2024, items 1287 and 1897);

150) amounts of contributions for pension, disability, sickness and accident insurance, paid on the basis of the provisions on the social insurance system for the spouse of the President of the Republic of Poland, referred to in Article 4(19) of the Act of 13 October 1998 on the social insurance system;

151) employee income from illegal employment within the meaning of Article 2(14)(a) of the Act of 20 March 2025 on the labour market and services

employment and the employee's income in the part in which the employer did not disclosed them to the competent state authorities;

152) the income of a taxpayer who has moved their place of residence to the territory of the Republic of Poland, up to an amount not exceeding PLN 85,528 in a tax year, earned:

a) from a service relationship, employment relationship, outwork relationship and cooperative employment relationship,

b) from contracts of mandate referred to in Article 13(8),

c) from non-agricultural economic activity, to which the taxation rules specified in Article 27, Article 30c or Article 30ca or the Act on flat-rate income tax in the scope of lump sums on recorded income apply,

d) from the maternity allowance referred to in the Act of 25 June 1999 on cash benefits from social insurance in the event of sickness and maternity

– in four consecutive tax years, counting from the beginning of the year in which the taxpayer moved their place of residence, or from the beginning of the following year, subject to paragraphs 39, 43 and 44;

153) the taxpayer's income up to an amount not exceeding PLN 85,528 in a tax year, earned:

a) from a service relationship, employment relationship, outwork relationship and cooperative employment relationship,

b) from contracts of mandate referred to in Article 13(8),

c) from non-agricultural economic activity to which the taxation rules specified in Article 27, Article 30c or Article 30ca or the Act on flat-rate income tax apply in the scope of the lump sum on recorded income,

d) from maternity allowance referred to in the Act of 25 June 1999 on cash benefits from social insurance in the event of sickness and maternity

– who, in the tax year, in relation to at least four children referred to in Article 6(4c), taking into account Article 6(4e) and (8), exercised parental authority, acted as a legal guardian if the child lived with him, or acted as a foster family on the basis of a court decision or an agreement concluded with the district administrator, and in the case of adult

children in education – exercised his maintenance obligation or acted as a foster family, subject to paragraphs 39 and 44–48;

154) income from a service relationship, employment relationship, outwork, cooperative employment relationship, from contracts of mandate referred to in Article 13(8), from maternity allowance referred to in the Act of 25 June 1999 on cash benefits from social insurance in the event of sickness and maternity, and from non-agricultural economic activity, to which the taxation rules specified in Article 27 apply, Article 30c or Article 30ca or the Act on Flat-Rate Income Tax in the scope of the lump sum on recorded income, received by the taxpayer after reaching the age of 60 in the case of women and 65 in the case of men, up to an amount not exceeding PLN 85,528 in a tax year, provided that the taxpayer is subject to social insurance within the meaning of the Act of 13 October 1998 on the social insurance system and the taxpayer, despite acquiring the entitlement, does not receive:

a) a retirement pension or survivor's pension referred to in the Act of 20 December 1990 on social insurance for farmers,

b) retirement or survivor's pensions referred to in the Act of 10 December 1993 on pension provision for professional soldiers and their families (Journal of Laws of 2024, items 242 and 1243),

c) retirement or survivor's pensions referred to in the Act of 18 February 1994 on pension provision for officers of the Police, Internal Security Agency, Intelligence Agency, Military Counterintelligence Service, Military Intelligence Service, the Central Anti-Corruption Bureau, the Border Guard, the Marshal's Guard, the State Protection Service, the State Fire Service, the Customs and Tax Service and the Prison Service, and their families (Journal of Laws of 2024, items 1121, 1243, 1562 and 1871),

d) retirement or survivor's pensions referred to in the Act of 17 December 1998 on retirement and survivor's pensions from the Social Insurance Fund (Journal of Laws of 2024, items 1631 and 1674),

e) benefits referred to in Article 30(1)(4a),

f) the retirement salary or family allowance referred to in the Act of 27 July 2001 – Law on the System of Common Courts (Journal of Laws of 2024, items 334 and 1907),

g) cash benefit referred to in the Act of 8 February 2023 on cash benefits for family members of officers or professional soldiers who died in connection with their service or while performing activities outside of service to save human life or health or property;

155) income (revenue) from the award referred to in Article 49(9) of the Act of 11 March 2004 on animal health protection and combating infectious animal diseases (Journal of Laws of 2023, item 1075);

156) repayment of part of the loan referred to in Article 7 of the Act of 1 October 2021 on family housing loans and secure 2% loans (Journal of Laws of 2024, item 1724);

156a) subsidies for safe 2% loan instalments referred to in Article 9b of the Act of 1 October 2021 on family housing loans and safe 2% loans;

157) income referred to in Article 20(1g):

a) the founder or a person related to the founder as referred to in Article 4a(1) of the Act of 28 July 1983 on inheritance and gift tax (Journal of Laws of 2024, item 1837), entitled to receive property in connection with the dissolution of a family foundation,

b) a beneficiary of a family foundation on account of the benefit referred to in Article 2(2) of the Act of 26 January 2023 on family foundations, if the beneficiary is the founder or a person related to the founder as referred to in Article 4a(1) of the Act of 28 July 1983 on inheritance and gift tax

– subject to paragraph 49;

158) housing allowances referred to in Chapter 3 of the Act of 26 May 2023 on state aid for saving for housing purposes (Journal of Laws of 2024 item 1704);

159) interest on funds accumulated under the agreement referred to in Article 4(2) of the Act of 26 May 2023 on state aid for saving for housing purposes, taking into account Article 7(7) and (8) and Article 8(2) of that Act;

160) social security contributions exempt from payment pursuant to Article 17a of the Act of 13 October 1998 on the social security system, contributions to the Labour Fund exempt from payment pursuant to Article 259(1)(4)(o) of the Act of 20 March 2025 on the labour market and employment services, and amounts of contributions to the Solidarity Fund exempt from payment in accordance with Article 4(1a) of the Act of 23 October 2018 on the Solidarity Fund (Journal of Laws of 2024, item 1848).

1a. Paragraphs 1(11)-(11b), (13) and (16) shall apply to the income of temporary workers, within the meaning of separate regulations, received from the user employer.

2. (repealed)

2a. (repealed)

3. (repealed)

4. (repealed)

5. (repealed)

5a. The tax exemptions referred to in paragraph 1(63a) and (63b) shall be granted to the taxpayer only in respect of income derived from economic activity conducted in the area specified in the permit or in respect of income derived from the implementation of a new investment in the area specified in the support decision.

5b. In the event of revocation of the permit referred to in paragraph 1(63a) or repeal of the support decision referred to in paragraph 1(63b), the taxpayer shall lose the right to exemption and shall be obliged to pay tax in accordance with the rules laid down in paragraph 5c.

5c. In the event of the circumstances referred to in paragraph 5b, the taxpayer shall be obliged to pay the tax due on the income resulting from the revoked permit or the repealed support decision, within the time limit applicable to the settlement of the advance payment for the first period falling due for payment of the advance payment referred to in Article 44, following the month in which these circumstances occur, and if the loss of rights occurs in December – in the annual tax return. The amount of tax due for payment shall be:

[1) unpaid tax on income earned from economic activity specified in the revoked permit or in the repealed support decision – if the taxpayer benefited from public aid granted in the form of an exemption referred to

referred to in paragraph 1(63a) or (63b), exclusively under one permit or exclusively under one decision, or]

<1) unpaid tax on income earned from economic activity specified in the revoked permit or in the repealed support decision – if the taxpayer benefited from public aid granted in the form of an exemption referred to in paragraph 1(63a) or (63b):

a) exclusively under a single permit or exclusively under a single support decision, or

b) under more than one permit or under more than one support decision, or under a permit or permits and a support decision, and at the same time the taxpayer kept accounts in a manner ensuring the determination of income from the activity specified in the revoked permit or in the repealed support decision and the amount of tax unpaid on that income, or >

The new wording of point 1 in paragraph 5c of Article 21 shall enter into force on 1 January 2026 (Journal of Journal of Laws of 2025, item 1022).

2) the amount constituting the maximum permissible public aid specified in the permit or in the revoked support decision – if the taxpayer benefited from public aid granted in the form of an exemption referred to in paragraph 1(63a) or (63b), under more than one authorisation or under more than one support decision, or under an authorisation or authorisations and a support decision.

5ca. If an entrepreneur also conducts business activity outside the special economic zone specified in the permit or the area specified in the support decision, the activity conducted within the zone or within the area specified in the support decision shall be separated organisationally, and the amount of the exemption shall be determined on the basis of the revenues and tax-deductible costs of the organisational unit conducting the business activity specified in the permit or in the support decision.

5caa. The provision of paragraph 5ca shall apply accordingly to determining the amount of income tax exemption where, in the area specified in the permit or decision on support, the economic activity specified in that permit or the economic activity in which the new investment is carried out and other activities of the taxpayer are conducted.

5cb. When determining the amount of income tax exemption to which an entrepreneur conducting business activity on the basis of a permit or a support decision through an organisational unit is entitled,

referred to in paragraph 5ca, the provisions of Chapter 4b, Section 2 shall apply accordingly to transactions between that organisational unit and the rest of the taxpayer's enterprise.

5cc. The provisions of paragraph 1(63a) and (63b) shall not apply if:

1) income from business activities conducted on the basis of a permit in a special economic zone or income from business activities related to the implementation of a new investment specified in a support decision is generated in connection with the conclusion of an agreement, the performance of another legal action or a number of related legal actions, or the performance of an action other than the conclusion of an agreement, the effect of which is the artificial undertaking of factual actions performed primarily for the purpose of obtaining income tax exemption, or

2) the activities referred to in point 1 are not genuine, or

3) the taxpayer benefiting from the tax exemptions referred to in paragraph 1 points 63a and 63b performs a legal action or a number of related legal actions, including those related to activities not covered by these exemptions, the main or one of the main purposes of which is to avoid taxation or evade taxation.

5cd. The taxpayer shall lose the right to tax exemption on the date of the first of the activities referred to in paragraph 5cc. In such a case, paragraphs 5b and 5c shall apply accordingly, with effect from that date.

5d. (repealed)

6. (repealed)

6a. (repealed)

7. The expenses referred to in section 1(36), incurred in connection with the running of a non-public school within the meaning of the provisions on the education system, if they have not been included in tax-deductible costs, shall be deemed to be expenses for:

1) the purchase of teaching aids and other equipment necessary for running a school, constituting fixed assets;

2) expenses related to the organisation of holiday recreation for pupils, in the part constituting the remuneration of teaching and service staff, if not covered by parents' contributions.

8. (repealed)

9. (repealed)

10. (repealed)

11. (repealed)

12. (repealed)

13. The provision of paragraph 1(16)(b) shall apply if the benefits received were not included in tax-deductible costs and were incurred:

1) in order to generate revenue or

2) in order to perform the tasks of organisations and organisational units operating on the basis of separate laws, or

3) by state or local government authorities (offices) or administrative bodies and organisational units subordinate to or supervised by them, or

4) by persons performing civic functions referred to in Article 13(5) in connection with the performance of those functions.

14. The exemption referred to in paragraph 1(19) applies to employees whose place of residence is located outside the town where the workplace is located, and the taxpayer does not benefit from the tax-deductible costs specified in Article 22(2)(3) and (4).

15. The exemption referred to in paragraph 1(20) does not apply to the remuneration of:

1) an employee travelling on business outside the Republic of Poland
Poland;

2) an employee in connection with his or her stay outside the Republic of Poland for the purpose of participating in an armed conflict or to reinforce the forces of the state or allied states, a peacekeeping mission, an action to prevent acts of terrorismor their consequences, as well as in connection with performing the function of an observer in peacekeeping missions of international organisations and multinational forces, provided that he or she receives benefits exempt from tax pursuant to paragraph 1(83) or (83a);

3) obtained by a member of the foreign service.

4) (repealed)

15a. Income earned in a tax year in excess of the limits referred to in paragraph 1(71a) may be taxed by the taxpayer on a lump-sum basis on recorded income in accordance with the rules laid down in the Act on lump-sum income tax.

15b. The exemption referred to in section 1(71a) constitutes *de minimis* aid granted within the scope and on the terms specified in directly applicable European Union legislation on *de minimis* aid.

15c. The exemptions referred to in paragraph 1(16) and (20) shall not apply to income received by a driver for performing international road transport on the basis of an employment relationship or a contract of mandate referred to in Article 13(8).

16. (repealed)

17. (repealed)

18. (repealed)

19. The exemption referred to in paragraph 1(122) shall not apply to funds constituting reimbursement of expenses incurred for the performance of a public task or a project covered by a public-private partnership agreementby or through a private partner, and funds allocated for the purchase of shares in a company referred to in Article 14(1) or (1a) of the Public-Private Partnership Act.

20. The exemptions referred to in paragraph 1(125) and (125a) shall not apply to benefits received on the basis of an employment relationship, outwork or contracts which are the basis for obtaining income classified as a source referred to in Article 10(1)(2).

21. (repealed)

22. (repealed)

23. The exemptions referred to in paragraph 1(6a) in relation to winnings obtained in a Member State of the European Union other than the Republic of Poland or in another country belonging to the European Economic Area shall apply provided that there is a legal basis under a double taxation agreement or other ratified international agreements to which the Republic of Poland is a party for the tax authority to obtain tax information from the tax authority of the country in whose territory the lotteries, games or betting are organised and conducted.

24. The exemption referred to in paragraph 1(46) shall not apply to income received from the implementation of a project under a twinning agreement concluded on the basis of Community law, under which the implementing institution is a Polish public administration institution.

25. The following shall be considered as expenditure incurred for the purposes referred to in paragraph 1(131):

1) expenditure incurred for:

a) the purchase of a residential building, part thereof or a share therein,

a residential premises constituting a separate property or a share

in such premises, as well as for the purchase of land or a share in land or the right of perpetual usufruct of land or a share in such a right, related to that building or premises,

b) acquisition of cooperative ownership rights to a residential premises or a share in such rights, rights to a single-family house in a housing cooperative or a share in such rights,

c) acquisition of land for the construction of a residential building or a share in such land, the right of perpetual usufruct of such land or a share in such a right, including land on which the construction of a residential building has already commenced, and acquisition of other land or a share in land, the right of perpetual usufruct of land or a share in such a right, if, during the period referred to in paragraph 1(131), the land is rezoned for the construction of a residential building,

d) construction, extension, superstructure, reconstruction or renovation of one's own residential building, part thereof or one's own residential premises,

e) extension, superstructure, reconstruction or adaptation for residential purposes of one's own non-residential building, part thereof, one's own non-residential premises or one's own non-residential room

– located in a Member State of the European Union or in another country belonging to the European Economic Area or the Swiss Confederation;

2) expenses incurred for:

a) repayment of the loan (credit) and interest on that loan (credit) taken out by taxpayer before the date of obtaining income from the sale referred to in Article 10(1)(8)(a)-(c) for the purposes specified in point 1,

b) repayment of a loan (credit) and interest on that loan (credit) taken out by the taxpayer before the date of obtaining income from a sale for consideration referred to in Article 10(1)(8)(a)-(c), for the repayment of the loan (credit) referred to in point (a),

c) repayment of each subsequent loan (credit) and interest on that loan (credit) taken out by the taxpayer before the date of obtaining income from the sale referred to in Article 10(1)(8)(a)-(c) for the repayment of the loan (credit) referred to in point (a) or (b)

– at a bank or credit union with its registered office in a Member State of the European Union or in another country belonging to the European Economic Area or in the Swiss Confederation, subject to paragraphs 29 and 30;

3) the value obtained in exchange for a transfer for consideration located in a Member State of the European Union or in another country belonging to the European Economic Area or in the Swiss Confederation:

a) a residential building, part thereof or a share therein, a residential premises constituting a separate property or a share therein, or

b) cooperative ownership right to a residential premises, right to a single-family house in a housing cooperative, or a share in such rights, or

c) land or a share in land, the right of perpetual usufruct of land or a share in such a right intended for the construction of a residential building, including land or a share in land or the right of perpetual usufruct of land or a share in such a right with the construction of a residential building already commenced, or

d) land, a share in land or the right of perpetual usufruct of land or a share in such a right, related to the building or premises referred to in point (a).

25a. The expenses referred to in paragraph 25(1)(a)-(c) shall be considered as expenses incurred for housing purposes if, before the expiry of the period referred to in paragraph 1(131), the ownership of the items or rights referred to in paragraph 25(1)(a)-(c) was acquired, in connection with which the taxpayer incurred expenses for the purchase.

26. The term "own building, premises or room" referred to in paragraph 25(1)(d) and (e) shall be understood as a building, premises or room owned or co-owned by the taxpayer or to which the taxpayer has a cooperative ownership right to the premises, a right to a single-family house in a housing cooperative or a share in such rights. The term "own building, premises or room" referred to in section 25(1)(d) and (e) shall also be understood to mean a building, premises or room not owned or co-owned by the taxpayer if, during the period referred to in section 1(131), the taxpayer acquires ownership or co-ownership thereof or a cooperative ownership right to the premises,

the right to a single-family house in a housing cooperative or a share in such rights, if he was not previously entitled to such rights.

27. In the case of expenditure incurred for housing purposes in a Member State of the European Union other than the Republic of Poland, or in another country belonging to the European Economic Area or the Swiss Confederation, the exemption referred to in paragraph 1(131) shall apply provided that there is a legal basis under a double taxation agreement or other ratified international agreements to which the Republic of Poland is a party for the tax authority to obtain tax information from the tax authority of the country in whose territory the taxpayer incurs housing expenses.

28. ,
incurred for:

1) the acquisition of land or a share in land, perpetual usufruct of land or a share in such a right, a building, part of a building or a share in a building, or
2) the construction, extension, superstructure, reconstruction, adaptation or renovation of a building or part thereof

– intended for recreational purposes.

29. Where the credit (loan) referred to in paragraph 25(2)(a)-(c) forms part of a credit (loan) intended to repay the taxpayer's credit (loan) liabilities other than those specified in those provisions, the expenses incurred for the purposes referred to in paragraph 1(131) shall be deemed to be the expenses attributable to the repayment of the credit (loan) referred to in paragraph 25(2)(a)-(c) and the interest paid on that part of the credit (loan) which is proportionally attributable to the repayment of the credit (loan) referred to in paragraph 25(2)(a)-(c).

30. The provision of paragraph 1(131) shall not apply to that part of the expenses referred to in paragraph 25(2) which the taxpayer has taken into account when claiming tax relief within the meaning of the Tax Ordinance when paying income tax, and to that part of the expenses referred to in paragraph 25(2) which financed the expenses specified in paragraph 25(1), taken into account by the taxpayer benefiting from tax relief within the meaning of the Tax Ordinance when paying income tax.

30a. The expenses referred to in paragraph 25(2) also include expenses related to the repayment of a loan (credit) and interest on that loan (credit) incurred in connection with the disposal of real estate or property rights for the purposes specified in paragraph 25

point 1, including where these expenses correspond to the equivalent of expenses included in the tax-deductible costs of the sale referred to in Article 10(1)(8)(a)-(c), which were financed by that credit (loan).

31. The exemption referred to in paragraph 1 point 132 shall apply if:

1) the amount of the reward transferred to the institution pursuing the objectives referred to in Article 4 of the Act on Public Benefit Activity is documented by proof of payment to the bank account of the recipient institution, and in the case of a non-monetary reward – by a document showing the value of the reward transferred and a statement from the recipient institution confirming its acceptance;

2) the reward referred to in point 1 was transferred no later than the deadline for submitting the tax return referred to in Article 45(1) for the tax year in which the reward was received.

32. The exemption referred to in paragraph 1(136) shall not apply to income specified in Article 12(1).

33. Employee pension schemes are understood to mean employee pension schemes established and operating on the basis of the provisions on employee pension schemes in force in the Member States of the European Union or in other countries belonging to the European Economic Area or in the Swiss Confederation.

34. The person referred to in paragraph 1(117a) shall be obliged to submit to the service provider a written statement on their entitlement to and receipt of social assistance or family allowance, in accordance with the rules laid down in the provisions on social assistance and family benefits, respectively, stating their first and last name, address of residence, address for service and address for electronic service referred to in Article 2(1) of the Act of 18 November 2020 on electronic service (Journal of Laws of 2024, items 1045 and 1841), entered in the electronic address database referred to in Article 25 of that Act – if available, their PESEL number and the number of the decision on the basis of which they receive social assistance benefits or family allowances.

35. The exemption referred to in paragraph 1(23c) shall apply provided that the following documents are submitted to the tax office referred to in Article 45(1b) no later than the deadline specified in Article 45(1):

1) in the case of work on a ship flying the Polish flag – a certificate,

referred to in Article 85 of the Act of 5 August 2015 on maritime labour;

2) in the case of work on a ship flying a flag other than the Polish flag – a certificate from the shipowner or employment agency referred to in Article 18(2) of the Act of 5 August 2015 on maritime labour, containing:

a) the seafarer's first and last name, address and PESEL number, or, if unavailable, the number of the identity document,

b) information on the number of days worked per year on a ship meeting the requirements referred to in paragraph 1(23c) by the seafarer to whom the certificate relates, specifying the periods of employment, the name and flag of the ship,

c) information on the amount of the seafarer's income from working for the shipowner,

d) information about the shipowner, including:

– full name or company name,

– address of residence or registered office,

– tax identification number or foreign taxpayer identification number,

– legal form.

35a. The exemption referred to in section 1(29b) shall also apply to compensation received in the part corresponding to the value of expenses incurred by the taxpayer for the purposes specified in that provision from the date of the damage to the date of receipt of the compensation, in the part not included in tax-deductible costs, including through depreciation write-offs.

35b. The period referred to in paragraph 1(23c) shall include the period:

1) the journey to the place of commencement of work on the ship, counted from the date of commencement of the journey from the place of residence or other place specified in the seafarer's employment contract referred to in Article 2(2) of the Act of 5 August 2015 on work at sea, until the date of commencement of work on the ship, and in the case of ships operated by successive crews or part of the crew, one day for each change of crew;

2) travel from the place where work on the ship ended, counted from the day on which work on the ship ended until the day on which the journey ended at the place of residence or another place specified in the seafarer's employment contract,

referred to in Article 2(2) of the Act of 5 August 2015 on maritime labour,

and in the case of ships operated by successive crews or part of the crew – one day for each change of crew;

3) repatriation and waiting for repatriation within the meaning of the Act of 5 August 2015 on maritime labour – where, on the basis of the provisions on the costs of repatriation, the shipowner is obliged to bear those costs;

4) receipt of sickness benefit or maternity benefit and periods of incapacity for work due to an accident at work or illness that occurred during employment on the ship, as specified in medical certificates;

5) training or retraining in educational institutions providing training in accordance with the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, done at London on 7 July 1978. (Journal of Laws of 1984, items 201 and 202, of 1999, item 286, of 2013, item 1092, of 2018, items 1866 and 2088
and of 2019, item 103);

6) training or retraining other than that specified in point 5, to which the seafarer has been referred by the shipowner, and the obligation to undergo such training or retraining results from separate regulations;

7) annual leave or special leave, if the maritime employment contract referred to in Article 2(2) of the Act of 5 August 2015 on maritime labour provides for such leave;

8) time off work spent on land, granted on the basis of the provisions on seafarers' working time, immediately after working on a ship operated by successive crews or part of a crew;

9) compensatory leave referred to in Article 56 of the Act of 5 August 2015 on maritime labour.

35c. The periods referred to in paragraph 35b shall be determined on the basis of documents submitted by the seafarer.

35d. The shipowner referred to in paragraphs 35 and 35b shall be understood as the shipowner referred to in Article II(1)(j) of the Maritime Labour Convention, adopted by the General Conference of the International Labour Organisation in Geneva on 23 February 2006. (Journal of Laws of 2013, item 845, of 2017, item 512, of 2019, item 962, and of 2021
item 707).

36. The exemption referred to in paragraph 1(129) shall not apply to that part of the subsidy received for non-agricultural economic activity which has been allocated, on the basis of separate provisions, to the remuneration of a natural person conducting that activity.

37. The exemption referred to in paragraph 1(146) also applies to taxpayers who have their place of residence, registered office or management on the territory of the Republic of Poland, in the case of the acquisition of assets, rights, services or non-refundable financial support, as specified in paragraph 1(146), free of charge from or through the taxpayers referred to in that provision, if those assets, rights, services or financial support are used exclusively for military purposes.

38. The exemption referred to in paragraph 1(146) shall apply to the income listed in that provision which is related to the establishment or maintenance of a capability to protect the fundamental interests of national security in the production of arms, ammunition or war materials, provided that these products are intended exclusively for military purposes.

39. When calculating the amount of income subject to tax exemption under paragraph 1(148) and (152)-(154), income subject to flat-rate income tax under this Act, exempt from income tax and from which tax collection has been waived under the provisions of the Tax Ordinance shall not be taken into account.

40. The exemption referred to in paragraph 1(51a) shall not apply to a limited partner of a limited partnership having its registered office or management in the territory of the Republic of Poland who:

1) directly or indirectly holds at least 5% of the shares in a company with legal personality or a capital company in organisation which is a general partner in that limited partnership, or
2) is a member of the management board of:
   a) a company with legal personality or a capital company in organisation being a general partner in that limited partnership, or
   b) a company holding, directly or indirectly, at least 5% of shares in a company with legal personality or a capital company in organisation which is a general partner in this limited partnership, or

3) is an entity related within the meaning of Article 23m(1)(4) to a member of the management board or a partner in a company holding directly or indirectly at least 5% of shares in a company with legal personality or a capital company in organisation which is a general partner in this limited partnership.

41. In the cases referred to in section 1(109), where the assets included in the non-cash contribution of an enterprise or its organised part have been assigned to activities conducted outside the territory of the Republic of Poland, including through a foreign establishment, the burden of proof that the asset has been accepted for income tax purposes at the value resulting from the tax books of the entity making the non-cash contribution shall rest with the taxpayer making that non-cash contribution.

42. The provision of paragraph 1(109) shall also apply accordingly to the entities listed in Annex 3 to the Act.

42a. The taxpayer may not apply the exemption referred to in paragraph 1(129) in relation to specific subsidies if, by the deadline for submitting the tax return for the tax year in which they were received, specified in Article 45(1), they submit to the competent head of the tax office a written statement on waiving the application of this exemption in relation to the subsidies indicated therein. The provisions of Article 23(1)(45) and (56) shall not apply to expenses and costs, including write-offs for the wear and tear of fixed assets and intangible assets, financed from the subsidies to which this statement relates.

43. The exemption referred to in paragraph 1(152) shall apply provided that that:

1) as a result of transferring their place of residence to the territory of the Republic of the taxpayer is subject to unlimited tax liability and
2) the taxpayer did not have a place of residence in the territory of the Republic of Poland during the period covering:
   a) the three calendar years immediately preceding the year in which they changed place of residence in the territory of the Republic of Poland, and
   b) the period from the beginning of the year in which he changed his place of residence within the territory of the Republic of Poland to the day preceding the day on which he changed his place of residence within the territory of the Republic of Poland, and
3) the taxpayer:

a) has Polish citizenship, a Polish Card or citizenship of a Member State of the European Union other than the Republic of Poland or a country belonging to the European Economic Area or the Swiss Confederation, or

b) had their place of residence:

– continuously for at least the period referred to in point 2, in a Member State of the European Union or a country belonging to the European Economic Area, the Swiss Confederation, Australia, the Republic of Chile, the State of Israel, Japan, Canada, the United Mexican States, New Zealand, the Republic of Korea, the United Kingdom of Great Britain and Northern Ireland or the United States of America, or

– in the territory of the Republic of Poland for at least 5 calendar years preceding the period referred to in point 2, and

4) has a certificate of residence or other proof documenting their place of residence for tax purposes during the period necessary to determine their eligibility for this exemption, and

5) has not previously benefited, in whole or in part, from this exemption – in the case of taxpayers who move their place of residence back to the territory of the Republic of Poland.

44. The total amount of income exempt from tax under paragraph 1 points 148 and 152–154 may not exceed PLN 85,528 in a tax year.

45. When determining the right to exemption referred to in paragraph 1(153), a child who, in the tax year, on the basis of a court decision, was placed in an institution providing round-the-clock care within the meaning of the provisions on family benefits shall not be taken into account.

46. A taxpayer benefiting from the exemption referred to in paragraph 1(153):

1) exclusively in respect of income taxable under Article 27, other than from non-agricultural economic activity, shall submit, within the time limit specified in Article 45(1), information in accordance with the established form, containing data on the number of children and their PESEL numbers, and in the absence of such numbers, the first names, surnames and dates of birth of the children;

2) with regard to income from non-agricultural economic activity subject to taxation in accordance with Article 27, Article 30c or in accordance with the provisions of the Act

on flat-rate income tax, in the tax return referred to in Article 45(1) or (1a)(2), or in the tax return referred to in Article 21(2)(2) of the Act on flat-rate income tax, submitted for the tax year in which he benefited from the exemption, shall provide information on the number of children and their PESEL numbers, and in the absence of such numbers, the first names, surnames and dates of birth of the children.

47. At the request of the tax authorities, the taxpayer shall be obliged to present certificates, statements and other evidence necessary to establish the right to the exemption referred to in paragraph 1(153), in particular:

1) a copy of the child's birth certificate;

2) a certificate from the family court establishing the child's legal guardian;

3) a copy of the court decision establishing a foster family or an agreement concluded between the foster family and the district administrator;

4) a certificate confirming that an adult child attends school.

48. The taxpayer shall not submit the information referred to in paragraph 46(1) if, in the tax return submitted for the tax year in which he or she benefited from the exemption specified in paragraph 1(153), he or she provided information on the number of children and their PESEL numbers, and in the absence of these numbers, on the first names, surnames and dates of birth of the children.

49. The exemption referred to in paragraph 1(157) shall apply to part of the income:

1) the founder or a person related to the founder as referred to in Article 4a(1) of the Act of 28 July 1983 on inheritance and gift tax, entitled to receive property in connection with the dissolution of a family foundation,

2) a beneficiary who is the founder or a person related to the founder as referred to in Article 4a(1) of the Act of 28 July 1983 on inheritance and gift tax

– corresponding to the proportion referred to in Article 27(4) of the Act of 26 January 2023 on family foundations, as at the date of obtaining the income.

50. The exemption referred to in paragraph 1(127) shall not apply to benefits referred to in Article 2(2) of the Act of 26 January 2023 on family foundations.

Chapter 4

Tax-deductible costs

Article 22. 1. Tax-deductible costs are costs incurred in order to generate income or to maintain or secure a source of income, with the exception of the costs listed in Article 23.

1a. (repealed)

1aa. Tax-deductible costs also include the recycling fee, referred to in Article 40c of the Act of 13 June 2013 on packaging and packaging waste management.

1ab. When determining the amount of tax-deductible costs, the following shall be taken into account:

1) a transfer pricing adjustment reducing tax-deductible costs, aimed at meeting the requirements referred to in Article 23o, through the correct application of the methods referred to in Article 23p(1)-(3), meeting the conditions referred to in Article 23q(1) and (2);

2) transfer pricing adjustments increasing tax-deductible costs, aimed at meeting the requirements referred to in Article 23o, through the correct application of the methods referred to in Article 23p(1)-(3), meeting the conditions referred to in Article 23q(1)-(4).

1b. Tax-deductible costs also include expenses incurred by the employer to ensure the proper implementation of an employee pension scheme within the meaning of the provisions on employee pension schemes.

1ba. Tax-deductible costs also include expenses incurred by an employer within the meaning of the Act on Employee Capital Plans to ensure the proper performance of obligations under that Act, subject to paragraph 6bc.

1c. For employers who are shareholders of employee pension companies, the following are also tax-deductible costs:

1) 's expenses on covering the costs of the activities of employee pension pension companies;

2) fees charged by the Financial Supervision Authority, referred to in the provisions on the organisation and operation of pension funds.

1d. In the case of the sale of items or rights received free of charge or partially free of charge, as well as other free or partially free benefits, in connection with which, pursuant to Article 11(2)-(2b), the following has been determined

income, and in the case of the sale of goods, rights or other benefits being the subject of non-monetary performance referred to in Article 14(2e) and (2f), the tax-deductible cost of their sale, taking into account the revaluation made in accordance with separate regulations, shall be, respectively:

1) the value of the income determined on the basis of Article 11(2) and (2a), or

2) the value of the income determined on the basis of Article 11(2b) plus the expenses incurred for the acquisition of partially paid items or rights or other benefits, or

3) the equivalent of the receivable (receivables) settled by the performance of a non-monetary benefit (in kind) referred to in Article 14(2e) and (2f), less the value added tax calculated in connection with the transfer of that non-monetary benefit

– reduced by the sum of depreciation write-offs referred to in Article 22h(1)(1).

1da. In the case referred to in paragraph 1d(3), the provision of Article 23(1)(43)(a) shall apply accordingly.

1db. If the taxpayer obtained income from the sale or redemption of shares or from a non-cash contribution in the form of shares, acquired or purchased as a result of the exercise of property rights or as a result of the exercise of rights attached to securities or the exercise of rights attached to derivative financial instruments, in connection with which income was determined on the basis of Article 17(1)(6)(b) or (10) or Article 18, the value of the income determined on this account shall increase the tax-deductible costs referred to in paragraph 1 or paragraph 1e or in Article 23(1)(38), respectively.

1dc. In the case of the exercise of rights from securities referred to in Article 3(1)(b) of the Act of 29 July 2005 on Trading in Financial Instruments, or the exercise of rights from derivative financial instruments obtained as a result of taking up or acquiring those rights as a benefit in kind or a gratuitous benefit, in connection with which income has been determined, the value of that income shall increase the tax-deductible costs from the source to which, pursuant to Article 10(4), that income has been allocated.

1e. In the case of acquisition of shares in a company or contributions to a cooperative in exchange for a non-cash contribution – on the date of acquisition of these shares or

contributions – the tax-deductible cost referred to in Article 17(1)(9) shall be determined as:

1) the initial value of the contribution, updated in accordance with separate regulations, less the sum of depreciation write-offs made prior to the contribution, referred to in Article 22h(1)(1), if the non-cash contribution consists of fixed assets or intangible assets;

2) the value, in the part not included in any form in tax-deductible costs:

   a) specified in accordance with Article 14(2)(7ca) or Article 17(1)(9) – if the contribution consists of shares in a company or contributions to a cooperative acquired in exchange for a non-cash contribution other than an enterprise or an organised part thereof,

   b) specified in accordance with Article 23(1)(38), where shares in a company or contributions to a cooperative, which are made in the form of a non-cash contribution, have not been acquired in exchange for a non-cash contribution,

   c) specified in accordance with paragraph 1f, where shares in a company or contributions to a cooperative, which are made in the form of a non-cash contribution, have been acquired in exchange for a non-cash contribution in the form of an enterprise or an organised part thereof

   – if the subject of the non-cash contribution are shares in a company or contributions to a cooperative;

2a) the value corresponding to the amount of the loan transferred by the contributor to the payment account of that company or cooperative, but not exceeding the value of the contribution in respect of that loan determined in accordance with Article 17(1)(9) – if the subject of the non-cash contribution is a claim in respect of that loan;

3) actual expenses incurred, not included in tax-deductible costs, for the purchase or production of assets other than those listed in points 1–2a of the taxpayer's assets – if the subject of the non-cash contribution are these other assets;

4) expenses incurred for the acquisition or production of an asset, not included in tax-deductible costs in any form, or the initial value of such an asset reduced by the sum of depreciation write-offs made on that asset – if the asset was received

by the taxpayer in connection with the liquidation of a company that is not a legal person, withdrawal from such a company or a reduction in the capital share in such a company;

5) the value of assets adopted for tax purposes, resulting from the books, records and list referred to in Article 24(3a) and Article 24a(1), determined as at the date of acquisition of the shares, but not higher than their value determined in accordance with Article 17(1)(9) on the date of acquisition – if the shares contributed in kind were acquired as a result of the transformation of an entrepreneur who is a natural person into a capital company;

6) the value of the components of the enterprise or its organised part for tax purposes, resulting from the tax books, determined on the date of acquisition of these shares or contributions to a cooperative, but not higher than the value of these shares or contributions on the date of their acquisition, determined in accordance with Article 17(1)(9) – if the contribution is an enterprise or an organised part thereof.

1ea. In the case of acquiring shares in a company or contributions to a cooperative in exchange for a non-cash contribution in the form of receivables related to business activities – on the date of acquiring these shares or contributions – the tax-deductible cost referred to in Article 14(2)(7ca) shall be determined as:

1) the amount of the loan granted, which was transferred by the contributor to the payment account of that company or cooperative, but not higher than the value of the contribution for that loan determined in accordance with Article 14(2)(7ca) – if the subject of the non-cash contribution is a receivable for that loan;

2) the value of the receivable, in the part previously included in the revenue due pursuant to Article 14 – if the subject of the non-cash contribution is a receivable previously included in the revenue due to the entity making such a contribution.

1f. In the case of a transfer of shares (stocks) in a company (society) () ( ) (

1) specified in accordance with Article 14(2)(7ca) or Article 17(1)(9) – if the shares sold were acquired in exchange for a non-cash contribution in a form other than an enterprise or an organised part thereof, including

in exchange for for contribution non-monetary in the form of commercialised intellectual property intellectual property,

1a) determined in accordance with Article 17(1)(9) – if the shares being sold were acquired in exchange for a non-cash contribution in the form of an enterprise or an organised part thereof, where Article 21(1)(109) does not apply to such income,

2) the value of the components of the enterprise or its organised part adopted for tax purposes, resulting from the tax books, determined as at the date of acquisition of these shares, but not higher than the value of these shares on the date of their acquisition, determined in accordance with Article 17(1)(9) – if the shares being sold were acquired in exchange for a non-cash contribution in the form of an enterprise or an organised part thereof, where such income is subject to the provisions of Article 21(1)(109)

– in the part not included in any form in tax-deductible costs.

1g. In the case of a sale of shares acquired as a result of a division referred to in Article 24(5)(7), the cost of obtaining income from the sale of shares in the acquiring or newly established company shall be the issue value of the shares.

1ga. In the case of a sale of shares acquired as a result of a division or merger of companies referred to in Article 24(5)(7a), subject to Article 24(8), the cost of obtaining revenue from the sale o f shares in the acquiring or newly established company is the issue value of the acquired shares.

1gb. In the case of a sale of shares in companies divided by spin-off, subject to Article 24(8), the tax-deductible costs for that shareholder are the expenses incurred in acquiring or taking up shares in the divided company, determined in accordance with paragraph 1f or Article 23(1)(38), in such proportion as the value of the assets remaining in the company after the spin-off bears to the value of the company's assets immediately before the division.

1gc. In the case of a sale of shares in the acquiring company for consideration, where the merger took place without the allocation of shares in the acquiring company, the tax-deductible costs referred to in paragraph 1f or Article 23(1)(38) for the acquisition or subscription of shares in the acquiring company shall be increased by the costs of acquisition or subscription of shares in the acquired company attributable to the shares sold, determined in accordance with paragraph 1f or Article 23(1)(38).

1h. In the case of a lease or tenancy agreement for property or property rights and agreements of a similar nature, if the lessor or lessee has transferred to a third party claims for fees arising from such agreements, and these agreements between the parties do not expire, the discount or remuneration paid to the third party shall be included in the tax-deductible costs of the lessor or lessee.

1i. If, in connection with the acquisition of shares in exchange for a non-cash contribution, the taxpayer incurred expenses related to the acquisition of those shares, such expenses shall increase the tax-deductible costs referred to in paragraph 1e.

1j. For a private partner specified in a public-private partnership agreement within the meaning of of the Act on public-private partnerships, in the case of a free-of-charge transfer to a public entity or another entity referred to in Article 11(2) of that Act, ownership of fixed assets or intangible assets within the time limit specified in that agreement, the tax-deductible cost is the initial value of those fixed assets or intangible assets, less the sum of depreciation write-offs referred to in Article 22h(1)(1).

1k. In the case of the acquisition of an enterprise or an organised part thereof by way of a non-cash contribution (in-kind contribution), the value of individual assets comprising the enterprise or an organised part thereof shall be determined:

1) at the initial value specified in the records of fixed assets and intangible assets of the entity making the contribution – in the case of components classified as fixed assets or intangible assets;
2) at the value accepted for tax purposes and resulting from the tax books of the entity making the contribution as at the date of acquisition – in the case of other components.

1ka. The provision of paragraph 1k shall apply accordingly to the acquisition, by way of a non-cash contribution, of an enterprise or an organised part thereof from an entity which does not have its registered office or management board in the territory of the Republic of Poland.

1kb. In the event of the transformation of a company into a company that is not a legal person, the value of individual assets of the transformed company as at the date of transformation shall be determined:

1) at the initial value specified in the records of fixed assets and intangible assets of the transformed company – in the case of assets classified as fixed assets or intangible assets;

2) at the value adopted for tax purposes and resulting from the tax books of the transformed company as at the date of transformation – in the case of other assets.

1kc. In the case of a sale of the assets referred to in section 1kb, the tax-deductible costs shall be determined at the amount referred to in that provision, less any depreciation write-offs made on those assets.

1l. In the case of the disposal of assets forming part of an enterprise or an organised part thereof, acquired in the manner referred to in paragraph 1k, the tax-deductible costs shall be determined in the amount referred to in that provision, less the depreciation write-offs made on those assets.

1. In the case of a transfer for consideration of shares (stocks) in a company established as a result of the transformation of an entrepreneur who is a natural person into a capital company, the tax-deductible cost is determined on the date of transfer of these shares (stocks) in the amount of the value of the assets adopted for tax purposes, resulting from the books, records and lists referred to in Article 24(3a) and Article 24a(1), determined as at the date of acquisition of these shares, but not higher than their value as at the date of acquisition, determined in accordance with Article 17(1)(9).

1m. In the case of the sale of shares in a capital company, shares in a cooperative and securities, redemption by the issuer of securities or cancellation, repurchase, redemption or other destruction of participation titles in capital funds, as well as the return of contributions or shares in a cooperative acquired by the taxpayer by way of inheritance, the tax-deductible costs are the expenses incurred by the testator in order to acquire or purchase these shares in a capital company and securities, shares or contributions in a cooperative, as well as to purchase these participation titles in capital funds.

1n. In the case of a taxpayer referred to in Article 3(2a) conducting business activity in the territory of the Republic of Poland through a foreign establishment, the value of individual assets comprising that foreign establishment shall be determined, subject to paragraph 1, as follows:

1) market value determined for the purposes of taxation with a tax equivalent to the tax on income from unrealised gains referred to in Article 30da, in the taxpayer's country of residence or in the country where their foreign establishment is located, unless the tax authority determines this value to be different – in the case where assets, including an enterprise or an organised part of an enterprise, are transferred from the territory of a Member State of the European Union; the provision of paragraph 1l shall apply accordingly, or

2) adopted for tax purposes and resulting from the taxpayer's tax records, not included in costs in any form, but not higher than the market value of the asset – if the asset is transferred from a Member State of the European Union, and that country does not specify the market value of that asset referred to in point 1, or exempts that value from taxation, or if that asset is transferred from the territory of a country other than a Member State of the European Union; the provision of paragraph 1l shall apply accordingly.

1na. The provision of paragraph 1n shall apply accordingly to a taxpayer referred to in Article 3(1) conducting business activity in the territory of the Republic of Poland who:

1) transferred to the territory of the Republic of Poland, for use in that activity, an asset of his foreign establishment, including as a result of the liquidation of that foreign establishment, or

2) transferred to the territory of the Republic of Poland, in connection with a change of residence, an asset used in business activities conducted outside the territory of the Republic of Poland, including as a result of the liquidation of such activities.

1o. (repealed)

1p. Tax-deductible costs, taking into account paragraph 8, also include costs incurred by the employer, provided that they were not financed from the company social benefits fund:

1) for the establishment of a company crèche, company children's club or company nursery;

2) for:

   a) the operation of a company crèche, company children's club or company nursery, up to a monthly amount not exceeding

PLN 1,000 per month for each child of an employee referred to in Article 27f(1) attending a company crèche, company children's club or company nursery,

b) subsidising an employee's expenses related to the care of the employee's child by a childminder or the employee's child attending a nursery, children's club or kindergarten, up to an amount not exceeding the expenses incurred and documented by the employee, monthly, no more than PLN 1,000 for each child referred to in Article 27f(1).

1q. The costs of establishing a company crèche, company children's club or company nursery referred to in paragraph 1p(1) shall be understood as the costs incurred until the date of entry in the relevant register in terms of meeting the conditions required for the establishment of a crèche, children's club or nursery, including the necessary costs of purchasing fixed assets and intangible assets or producing fixed assets in-house, conversion, extension, reconstruction, adaptation, modernisation, renovation of fixed assets or the acquisition of other assets, as well as costs related to fixed assets and intangible assets or other assets incurred after obtaining an entry in the relevant register.

1r. The costs of running a company crèche, company children's club or company kindergarten referred to in paragraph 1p(2)(a) shall also be understood as the employer's paid purchase of a service consisting in providing the child of an employee referred to in Article 27f(1) with care in a nursery, children's club or kindergarten.

1s. In the case of a payment made towards the purchase of a brand new fixed asset referred to in Article 22k(14), meeting the conditions specified in Article 22k(15), the delivery of which will be made in subsequent reporting periods, taxpayers may include the payment made in their tax-deductible costs up to the amount referred to in Article 22k(14).

1t. In the case of a sale of shares in a company formed as a result of the transformation of a company that is not a legal person, the tax-deductible cost referred to in Article 23(1)(38) shall be the expenses incurred to acquire or obtain the right to shares in the transformed company, increased by the taxpayer's surplus of income over the costs of obtaining it from participation in the transformed company, calculated in accordance with Article 8, and reduced by payments made

on account of participation in the transformed company and on account of expenses attributable to the taxpayer which do not constitute tax-deductible costs on account of participation in that company. If there has been a reduction in the capital share in the transformed company, the expenses for the acquisition or subscription of shares in the transformed company, the surplus of income over the costs of obtaining it from participation in the transformed company, the value of the payment made for participation in the transformed company and the taxpayer's expenses not constituting tax-deductible costs from participation in that company shall be accepted in the part corresponding proportionally to the value of the capital share after its reduction in relation to its value before the reduction. The rules referred to in the first and second sentences shall apply accordingly where the subject of the sale are shares in a company which was established as a result of subsequent transformations. If, as a result of successive transformations referred to in the third sentence, the taxpayer generated income subject to income tax, the value of this income increases the tax-deductible costs related to the sale of shares.

1u. If, in connection with the sale of shares referred to in Article 21(1)(105a), there is a surplus of expenses incurred for their acquisition or purchase over the income from their sale, this surplus shall constitute a tax-deductible cost referred to in Article 17(1)(6)(a) in the tax year in which the sale of such shares took place.

2. Tax-deductible costs related to a service relationship, employment relationship, cooperative employment relationship and outwork:

1) amount to PLN 250 per month and a total of no more than PLN 3,000 per tax year – if the taxpayer derives income from one service relationship, employment relationship, cooperative employment relationship and outwork relationship;
2) they may not exceed a total of PLN 4,500 per tax year – if the taxpayer obtains income simultaneously from more than one service relationship, employment relationship, cooperative employment relationship and outwork relationship;
3) amount to PLN 300 per month, and for the tax year in total no more than PLN 3,600 – if the taxpayer's permanent or temporary place of residence is located outside the town where the workplace is located and the taxpayer does not receive a separation allowance;

4) may not exceed a total of PLN 5,400 per tax year – if the taxpayer receives income simultaneously from more than one service relationship, employment relationship, cooperative employment relationship and outwork relationship, the taxpayer's place of permanent or temporary residence is located outside the town where the workplace is located, and the taxpayer does not receive a separation allowance.

2a. (repealed)

3. If the taxpayer incurs costs of obtaining income from sources from which the income is taxable and costs related to income from other sources, and it is not possible to determine the costs of obtaining income attributable to individual sources, these costs shall be determined in the same proportion as the income from these sources in the total amount of income.

3a. The rule referred to in paragraph 3 shall also apply where part of the income from the same source is taxable and part is exempt from taxation, with the exception of the sources of income specified in Article 10(1)(1) and (2) and the income referred to in Article 21(1)(152)(c), (153)(c) and (154) in respect of income from non-agricultural economic activity.

3b. In the case of the exemption referred to in Article 21(1)(148) and (152)-(154), the tax-deductible costs related to a service relationship, employment relationship, outwork, cooperative employment relationship and contracts of mandate referred to in Article 13(8) shall apply in an amount not exceeding that part of the income from a given source which is subject to taxation.

4. Tax-deductible costs shall be deducted only in the tax year in which they were incurred, subject to paragraphs 4a–5, 6 and 10.

4a. Tax-deductible costs, except for the costs referred to in paragraph 8, incurred in the tax year in which the taxpayer applies the cash method referred to in Article 14c, resulting from transactions between the taxpayer and an entrepreneur within the meaning of the Act of 6 March 2018 – Entrepreneurs' Law, shall be deducted in the tax year in which the liability was settled, but not earlier than on the date on which the cost was incurred. The provision of Article 14c(3) shall apply accordingly.

4b. If the liability is settled after the liquidation of non-agricultural business activity or a change in the form of taxation to a flat-rate form of taxation specified in the Act on flat-rate income tax or

In the Act of 24 August 2006 on tonnage tax, the costs of obtaining revenue referred to in paragraph 4a shall be deducted in the last settlement period before the liquidation of non-agricultural business activity or a change in the form of taxation.

5. For taxpayers keeping accounting books, tax-deductible costs directly related to revenue, incurred in the years preceding the tax year and in the tax year, shall be deducted in that tax year, in which the were achieved and the corresponding revenue, subject to paragraphs 5a and 5b.

5a. Tax-deductible costs directly related to revenue, relating to revenue for a given tax year and incurred after the end of that tax year until the date of:

1) the preparation of the financial statements, in accordance with separate regulations, but no later than the deadline for filing the tax return, if taxpayers are required to prepare such statements, or
2) the tax return is submitted, but no later than the deadline for submitting the tax return, if taxpayers are not required to prepare financial statements in accordance with separate regulations

– are deductible in the tax year in which the corresponding
revenue was generated.

5b. Tax-deductible costs directly related to revenue, relating to revenue for a given tax year and incurred after the date referred to in section 5a(1) or (2), are deductible in the tax year following the year for which the financial statements are prepared or the tax return is filed.

5c. Tax-deductible costs other than those directly related to revenue shall be deductible on the date they are incurred. If these costs relate to a period exceeding the tax year and it is not possible to determine which part of them relates to a given tax year, they shall constitute tax-deductible costs in proportion to the length of the period to which they relate.

5d. Subject to paragraphs 5e, 6ba, 6bb and 7b, the date on which the cost was recognised in the accounting books (posted) on the basis of the invoice (bill) received, or the date on which the cost was recognised on the basis of other evidence in the absence of an invoice (bill),

except where this would apply to provisions or accrued expenses recognised as costs.

5e. The costs of abandoned investments are deductible on the date of disposal or liquidation of the investments.

6. The rules set out in paragraphs 5–5c, subject to paragraph 6b, shall also apply to taxpayers keeping tax revenue and expense ledgers, provided that such ledgers are kept on a continuous basis in each tax year in a manner that allows for the separation of tax-deductible costs relating only to that tax year.

6a. In order to determine the value of raw materials and materials from own plant or animal production and own forestry used in non-agricultural economic activity or in special sections of agricultural production, the provision of Article 11(2) shall apply accordingly.

6b. The date of incurring a tax-deductible cost in the case of taxpayers referred to in paragraph 6, subject to paragraphs 5e, 6ba, 6bb and 7b, shall be the date of issue of the invoice (bill) or other evidence constituting the basis for accounting for (recognising) the cost.

6ba. Receivables referred to in Article 12(1) and (6) and cash benefits from social insurance paid by an employer , subject to paragraph 6bc, constitute tax-deductible costs in the month for which they are due, provided that they have been paid or made available within the time limit specified in labour law, a contract or other legal relationship between the parties. In the event of failure to meet this deadline, Article 23(1)(55) shall apply to these amounts.

6bb. Contributions on the receivables referred to in paragraph 6ba, specified in the Act of 13 October 1998 on the social insurance system, in the part financed by the contribution payer, contributions to the Labour Fund, the Solidarity Fund and the Guaranteed Employee Benefits Fund , subject to Article 23(1)(37), shall constitute tax-deductible costs in the month for which these amounts are due, provided that the contributions are paid within the time limit specified in separate regulations. In the event of failure to meet this deadline, Article 23(1)(55a) and (3d) shall apply to these contributions.

6bc. Contributions made to employee capital plans referred to in the Act on Employee Capital Plans, in the part financed by the employer within the meaning of that Act, subject to Article 23(1)(37a),

constitute tax-deductible costs in the month for which they are due, provided that they are paid within the time limit specified in that Act. In the event of failure to meet this deadline, the provisions of Article 23(1)(55aa) shall apply to these contributions.

6c. Tax-deductible costs related to the sale referred to in Article 10(1)(8)(a)-(c), subject to paragraph 6d, shall constitute documented costs of acquisition or documented costs of production, increased by documented expenditure which increased the value of the property and property rights, incurred during their possession.

6d. The costs of obtaining income from the sale referred to in Article 10(1)(8)(a)-(c), acquired by inheritance, donation or other gratuitous means, shall be deemed to be documented expenditure which increased the value of the property and property rights incurred during their possession and the amount of inheritance and gift tax paid in the part in which the value of the disposed property or right accepted for inheritance and gift tax corresponds to the total value of the property and property rights accepted for inheritance and gift tax. The tax-deductible costs of the sale of real estate and rights referred to in Article 10(1)(8)(a)-(c), acquired by inheritance, also include documented costs of acquisition or production incurred by the testator and inheritance charges attributable to the taxpayer, in the part in which the value of the sold item or right corresponds to the total value of the items and property rights acquired by the taxpayer. The inheritance burdens referred to in the second sentence shall be understood as inheritance debts repaid by the taxpayer, satisfied claims for a reserved share, and executed ordinary bequests and instructions, also in the case where the taxpayer has repaid inheritance debts, satisfied claims for a reserved share or executed ordinary bequests and instructions after the sale for consideration referred to in Article 10(1)(8)(a)-(c).

6e. The amount of expenditure referred to in paragraphs 6c and 6d shall be determined on the basis of VAT invoices within the meaning of the provisions on goods and services tax and documents confirming the payment of administrative fees.

6f. The acquisition or production costs referred to in paragraph 6c shall be increased annually, starting from the year following the year in which the sold items or property rights were acquired or produced, until the year preceding the tax year in which their sale took place, to an extent

corresponding to the consumer price index for goods and services in the first three quarters of the tax year in relation to the same period of the previous year, as announced by the President of the Central Statistical Office in the Official Journal of the Republic of Poland, Monitor Polski.

7. (repealed)

7a. (repealed)

7b. Development costs may be included in tax-deductible costs:

1) in the month in which they were incurred or, starting from that month in equal instalments over a period not exceeding 12 months, or

2) once in the tax year in which they were completed, or

3) through depreciation write-offs made in accordance with Article 22m(1)(3) from the intangible assets referred to in Article 22b(2)(2). 7c. If the adjustment cost of income, including depreciation , is not caused by an accounting error or other obvious mistake, the adjustment shall be made by reducing or increasing the costs of obtaining revenue incurred in the settlement period in which the corrective invoice was received or, in the absence of an invoice, another document confirming the reasons for the adjustment.

7d. If, in the settlement period referred to in paragraph 7c, the taxpayer did not incur any tax-deductible costs or the amount of tax-deductible costs incurred is lower than the amount of the reduction, the taxpayer shall be obliged to increase the revenue by the amount by which the tax-deductible costs were not reduced.

7e. The provisions of paragraphs 7c and 7d shall not apply to:

1) adjustments relating to tax-deductible costs associated with a tax liability that has become time-barred;

2) transfer pricing adjustments referred to in Article 23q.

7f. If the adjustment referred to in paragraph 7c occurs after the liquidation of non-agricultural business activity, the liquidation of special agricultural production departments or a change in the form of taxation to a flat-rate form of taxation specified in the Act on flat-rate income tax, the Act of 24 August 2006 on tonnage tax or the Act of 6 July 2016 on the activation of the shipbuilding industry and complementary industries, or a change in the rules for determining income in relation to special agricultural production divisions, the reduction or

increase in tax-deductible costs shall be made in the last settlement period prior to the liquidation of non-agricultural economic activity or special sections of agricultural production, change in the form of taxation or change in the rules for determining income in relation to special sections of agricultural production.

7g. The provisions of paragraphs 7c and 7d shall apply accordingly to the adjustment of the market value of an asset resulting from a decision of the tax authority determining the market value of the taxpayer's asset referred to in Article 3(1) or (2a) in an amount other than that adopted for the purposes of taxation with a tax equivalent to the tax on income from unrealised gains referred to in Article 30da by the Member State of the European Union from whose territory the asset was transferred to the territory of the Republic of Poland.

8. Tax-deductible costs include write-offs for the wear and tear of fixed assets and intangible assets (depreciation write-offs) made exclusively in accordance with Articles 22a–22o, taking into account Article 23. In the case of real estate companies, write-offs relating to fixed assets classified in group 1 of the Classification may not exceed, in a tax year, the depreciation or amortisation write-offs made in accordance with accounting regulations for the wear and tear of fixed assets, charged to the entity's financial result in that tax year.

8a. In the case of a sale for consideration by a company that is not a legal person of items and rights that are the subject of a contribution to such a company, the following shall be considered as tax-deductible costs:

1) the initial value adopted by the company in the register of fixed assets and intangible assets, determined in accordance with Article 22g(1)(4), less the sum of depreciation write-offs – if these items or rights were classified as fixed assets or intangible assets of the company;
2) the value of expenses incurred for the purchase or production of the contribution, not classified as tax-deductible costs in any form – if these items or rights were not classified as fixed assets or intangible assets of the company.

9. The costs of obtaining certain revenues are determined:

1) on account of payment to the creator for the transfer of ownership rights to an invention, integrated circuit topography, utility model, industrial design, trademark or ornamental design – in the amount of 50% of the income obtained, subject to paragraph 9a;

2) as a licence fee for the transfer of the right to use an invention, integrated circuit topography, utility model, industrial design, trademark or ornamental design, received in the first year of the licence from the first entity with which the licence agreement was concluded – in the amount of 50% of the income obtained, subject to paragraph 9a;

3) for the use by authors of copyrights and performers of related rights, within the meaning of separate regulations, or for the disposal of such rights by them – in the amount of 50% of the income obtained, subject to paragraphs 9a and 9b, provided that these costs are calculated on the basis of income reduced by the payer's deductions in a given month for pension and disability insurance contributions and health insurance contributions referred to in Article 26(1)(2)(b), the basis for calculation of which is this income;

3a) (repealed)

4) for the reasons specified in Article 13(2), (4) to (6) and (8) – in the amount of 20% of the income obtained, provided that these costs are calculated on the basis of income reduced by the pension and disability insurance contributions and sickness insurance contributions referred to in Article 26(1)(2)(b), the basis for calculation of which is this income, deducted by the payer in a given month;

5) from the titles specified in Article 13(7) and (9) in the amount specified in paragraph 2(1), and if the taxpayer obtains the same type of income from more than one entity or from the same entity but on the basis of several legal relationships, in the amount specified in paragraph 2(2);

6) from other sources referred to in Article 10(1)(9), obtained on the basis of a contract to which the provisions of civil law concerning contracts of mandate or specific task contracts apply – in the amount of 20% of the income obtained, provided that these costs are calculated on the basis of income reduced by pension and disability insurance contributions and sickness insurance contributions referred to in Article 26(1)(2)(b), deducted by the payer or paid by the taxpayer in a given month, the basis for calculation of which is this income. 9a. In a tax year, the total tax-deductible costs referred to

in paragraph 9(1)-(3) may not exceed the upper limit of the first tax bracket referred to in Article 27(1).

9aa. In the case of applying the exemption referred to in Article 21(1)(148)(a), (152)(a), (153)(a) and (154) with regard to income from

service relationship, employment relationship, outwork relationship, cooperative employment relationship, the sum of the total tax-deductible costs referred to in paragraph 9 points 1-3 and the income exempt from tax pursuant to Article 21(1)(148)(a), (152)(a), point 153(a) and point 154 in respect of income from a service relationship, employment relationship, outwork, cooperative employment relationship, may not exceed in a tax year the amount constituting the upper limit of the first tax scale bracket referred to in Article 27(1).

9b. The provision of paragraph 9(3) shall apply to income derived from:

1) creative activities in the field of architecture, interior design, landscape architecture, civil engineering, urban planning, literature, fine arts, design industrial design, music, photography, audio and audiovisual works , computer programmes, computer games, theatre, costume design, set design, directing, choreography, artistic lutherie, folk art and journalism;
2) artistic activity in the field of acting, stage, dance and circus arts, as well as in the field of conducting, vocal and instrumental music;
3) audio and audiovisual production;
4) journalism;
5) museum activities in the field of exhibitions, science, popularisation, education and publishing;
6) conservation activities;
7) derivative rights referred to in Article 2(2) of the Act of 4 February 1994 on copyright and related rights (Journal of Laws of 2022, item 2509 and of 2024, items 1222 and 1254), the adaptation of another person's work in the form of a translation;
8) research and development, scientific, scientific and teaching, research, research and teaching activities, and teaching activities conducted at a university.

10. If the taxpayer proves that the tax-deductible costs were higher than those resulting from the application of the percentage rate specified in paragraph 9(1)-(4) and (6), the tax-deductible costs shall be accepted in the amount of the costs actually incurred. The provisions of paragraph 5 and paragraph 5a(2) shall apply accordingly.

10a. The provision of paragraph 10 shall also apply if the taxpayer proves that in the tax year the total tax-deductible costs referred to in paragraph 9(1)-(3) were higher than the amount specified in paragraph 9a.

11. If the annual tax-deductible costs referred to in paragraph 2 are lower than the expenses incurred for commuting to the workplace or workplaces by bus, train, ferry or public transport, these costs may be accepted by the employee in the annual tax settlement in the amount of the expenses actually incurred, documented exclusively by personal season tickets.

11a. (repealed)

12. The tax-deductible costs specified in paragraph 9 shall not apply to the income referred to in Article 14.

13. The provisions of paragraph 2(3) and (4) and paragraph 11 shall not apply where an employee receives reimbursement of travel expenses to the workplace, except where the reimbursed expenses have been included in taxable income.

14. Tax-deductible costs related to the sale of virtual currency for consideration shall constitute documented expenses directly incurred for the purchase of virtual currency and costs related to the sale of virtual currency, including documented expenses incurred on behalf of entities referred to in Article 2(1)(12) of the Act on Counteracting Money Laundering and Terrorist Financing.

15. The tax-deductible costs referred to in paragraph 14 shall be deducted
in the tax year in which they were incurred, subject to paragraph 16.

16. The surplus of the tax-deductible costs referred to in paragraph 14 over the income from the sale of virtual currency obtained in the tax year increases the tax-deductible costs from the sale of virtual currency incurred in the following tax year.

Art**. 22a.** 1. Subject to Art. 22c, the following shall be subject to depreciation:

1) structures, buildings and premises constituting separate property,

2) machinery, equipment and means of transport,

3) other items

– with an expected useful life of more than one year, used by the taxpayer for the purposes of their business activity or made available for use on the basis of a lease, tenancy or agreement specified in Article 23a(1), referred to as fixed assets.

2. Subject to Article 22c, the following shall also be subject to depreciation, regardless of their expected useful life:

1) investments in third-party fixed assets accepted for use, hereinafter referred to as "investments in third-party fixed assets",
2) buildings and structures built on third-party land,
3) assets listed in paragraph 1, not owned or co-owned by the taxpayer, used by them for the purposes of their business on the basis of an agreement referred to in Article 23a(1), concluded with the owner or co-owners of these assets – if, in accordance with the provisions of Chapter 4a, depreciation write-offs are made by the user.

– also referred to as fixed assets;

4) maritime transport fleet under construction (PKWiU ex 30.11).

Art. 22b. 1. Subject to Art. 22c, the following items acquired from another entity and suitable for economic use on the date of acceptance for use are subject to depreciation:

1) (repealed)
2) cooperative right to commercial premises,
3) (repealed)
4) copyright or related property rights,
5) licences,
6) rights specified in the Act of 30 June 2000 – Industrial Property Law,
7) value equivalent to the information obtained related to knowledge in the industrial, commercial, scientific or organisational field (know--how)

– with an expected useful life of more than one year, used by the taxpayer for the purposes of his business activity or made available for use by him on the basis of a licence agreement (sublicence), lease agreement, tenancy agreement or agreement specified in Article 23a(1), referred to as intangible assets.

2. Subject to Article 22c, the following shall also be subject to amortisation, regardless of their expected useful life:

1) goodwill, if this value arose as a result of the acquisition of an enterprise or an organised part thereof by way of:
   a) purchase,
   b) acceptance for use against payment, and depreciation write-offs, in accordance the provisions of Chapter 4a, shall be made by the user,

1a) goodwill, if, in connection with the transfer of an enterprise or an organised part of an enterprise to the territory of the Republic of Poland, this value was taxed in a Member State of the European Union with a tax equivalent to the tax on income from unrealised gains referred to in Article 30da – in the case where the enterprise or its organised part is transferred from that country,

2) costs of development work completed with a positive result that can be used for the taxpayer's business activities, if:
   a) the product or manufacturing technology is clearly defined and the related development costs are reliably determined, and
   b) the technical usefulness of the product or technology has been properly documented by the taxpayer and, on this basis, the taxpayer has decided to manufacture these products or use the technology, and
   c) the documentation relating to the development work shows that the costs of the development work will be covered by the expected revenue from the sale of these products or the use of the technology,

3) the assets listed in paragraph 1, which are not owned or co-owned by the taxpayer, used by the taxpayer for the purposes of its business on the basis of an agreement referred to in Article 23a(1), concluded with the owner or co-owners or persons entitled to use these assets – if, in accordance with the provisions of Chapter 4a, depreciation write-offs are made by the user

– also referred to as intangible assets.

Art. 22c. The following are not subject to depreciation:

1) land and perpetual usufruct rights to land,

2) residential buildings with lifts, residential premises constituting separate real estate, cooperative ownership rights to residential premises and rights to single-family houses

in a housing cooperative, used for business purposes or leased or rented on the basis of a contract,

3) works of art and museum exhibits,

4) goodwill, if this value arose in a manner other than that specified in Article 22b(2)(1) and (1a),

5) assets that are not used as a result of the suspension of business activity on the basis of provisions concerning the suspension of business activity or the cessation of the activity in which these assets were used; in this case, these assets are not subject to depreciation from the month following the month in which the activity was suspended or ceased

– referred to as respectively fixed assets or intangible and legal assets.

Art. 22d. 1. Taxpayers may not make depreciation write-offs on assets referred to in Articles 22a and 22b whose initial value, determined in accordance with Article 22g, does not exceed PLN 10,000; the expenses incurred for their purchase shall then constitute tax-deductible costs in the month in which they are put into use.

2. The assets referred to in Articles 22a–22c, excluding those listed in paragraph 1, shall be entered in the register of fixed assets and intangible assets in accordance with Article 22n, at the latest in the month in which they are put into use. A later date of entry shall be considered a disclosure of a fixed asset or intangible asset referred to in Article 22h(1)(4).

Article 22e. 1. If taxpayers acquire or produce on their own the assets listed in Article 22a(1) and Article 22b(1), with an initial value exceeding PLN 10,000, and due to their expected period of use equal to or shorter than one year, they do not classify them as fixed assets or intangible assets, and the actual period of their use exceeds one year

– taxpayers are required, in the first month following the month in which that year expired:

1) classify these items as fixed assets or intangible assets, entering them in the records at their purchase price or production cost;

2) reduce tax-deductible costs by the difference between the purchase price or production cost and the amount of depreciation write-offs attributable to the period of their use to date, calculated for fixed assets using the depreciation rates specified in the List of annual depreciation rates, constituting Appendix 1 to the Act, referred to as the "List of depreciation rates", and for intangible assets using the rules specified in Article 22m;

3) apply the depreciation rates referred to in point 2 throughout the entire period of depreciation write-offs;

4) pay, by the 20th day of that month, to the tax office the amount of interest accrued from the date of recognition as tax-deductible costs of the expenditure on the purchase or production of assets on its own to the date on which the period of their use exceeded one year, and show the calculated amount of interest in the tax return referred to in Article 45(1) or (1a)(2); interest on the difference referred to in point 2 shall be calculated at the rate of interest on tax arrears applicable on the date of recognition of the asset as a fixed asset or intangible asset.

2. The provisions of paragraph 1 shall apply accordingly in the case of classification of expenditure on the acquisition or production of assets with an initial value exceeding PLN 10,000 to costs of obtaining revenue, and then classifying these assets as fixed assets or intangible assets within one year of their acquisition or production; in this case, interest is calculated until the date of their inclusion in fixed assets or intangible assets.

3. If the difference referred to in paragraph 1(2) is higher than the costs for a given month, the unsettled surplus of costs reduces the costs in subsequent months.

Art. 22f. 1. Taxpayers, except for those who do not conduct business activity due to declared bankruptcy, shall make depreciation write-offs on the initial value of fixed assets and intangible assets referred to in Art. 22a(1) and (2)(1–3) and in Art. 22b.

2. Taxpayers who are shipowners, except for those who do not conduct business activity due to declared bankruptcy, may make

depreciation write-offs on the maritime transport fleet

under construction, referred to in Article 22a(2)(4).

3. Depreciation write-offs are made in accordance with Articles 22h–22m when the initial value of a fixed asset or intangible asset on the date of acceptance for use exceeds PLN 10,000. If the initial value is equal to or less than PLN 10,000, taxpayers, subject to Article 22d(1), may make depreciation write-offs in accordance with Articles 22h–22m either on a one-off basis in the month in which the fixed asset or intangible asset is put into use, or in the following month.

4. If only part of the property or commercial premises is used for business purposes, rented or leased, depreciation write-offs shall be made in the amount determined from the initial value of the property or premises corresponding to the ratio of the usable area used for business purposes, rented or leased, to the total usable area of that property or premises.

5. Depreciation write-offs on fixed assets and intangible assets that have been transferred for the purpose of securing a claim, including a loan or credit, shall be made by the previous owner, including the borrower or credit taker.

Art. 22g. 1. Za wartość początkową środków trwałych oraz wartości intangible assets, taking into account paragraphs 2–18, shall be deemed to be:

1) in the case of a purchase for consideration – their purchase price, and if they were used by the taxpayer before being entered in the register of fixed assets and intangible assets and were not previously depreciated – their purchase price, but not higher than their market value;

1a) in the case of a partially paid acquisition – their purchase price increased by the value of the income specified in Article 11(2b);

2) in the case of in-house production – the cost of production;

3) in the case of acquisition by inheritance, donation or other gratuitous means – the market value on the date of acquisition, unless the donation agreement or gratuitous transfer agreement specifies a lower value;

4) in the case of acquisition in the form of a non-cash contribution (in-kind contribution) made to a company that is not a legal person:

a) the initial value from which depreciation write-offs were made – if the contribution was depreciated,

b) expenses incurred for the acquisition or production of the contribution, not included in tax-deductible costs in any form – if the contribution was not depreciated,

c) value determined in accordance with Article 19 – if it is impossible to determine the expenditure on the purchase or production of the contribution by a partner who is a natural person, and the contribution was not used by the contributor in their business activity, excluding intangible assets produced by the partner on their own;

5) n the case of receiving in connection with the liquidation of a company or a legal person , subject to paragraph 14b, the value of individual fixed assets and intangible assets determined by the taxpayer, but not higher than their market value;

6) in the case of an acquisition referred to in Article 14(2e) – the value of the receivable (claim) settled as a result of the non-monetary performance referred to in that provision; the provision of paragraph 3 shall apply accordingly;

7) in the case of a taxpayer referred to in Article 3(2a) conducting business activity in the territory of the Republic of Poland through a foreign establishment – the value referred to in Article 22(1n);

8) if the taxpayer referred to in Article 3(1) has transferred an asset of its foreign establishment for use in its business activity conducted in the territory of the Republic of Poland, including as a result of its liquidation, or has transferred, in connection with a change of residence to the territory of the Republic of Poland, for use in that activity, an asset used in economic activity conducted outside the territory of the Republic of Poland – the value determined in accordance with Article 22(1na).

1a. The provision of paragraph 1(4)(a) and (b) shall apply accordingly in the case of an asset contributed in kind (in-kind contribution) to a company that is not a legal person by a partner who received that asset as a result of the liquidation of a company that is not a legal person, withdrawal from such a company or a reduction in the capital share in such a company.

2. The initial value of the business is the positive difference between the purchase price of the enterprise or its organised part, determined in accordance with paragraphs 3 and 5, and the market value of the assets comprising the purchased, accepted for use against payment or contributed to a company that is not a legal person, enterprise or its organised part, respectively, as at the date of purchase, acceptance for use against payment or contribution to such a company.

3. The purchase price shall be deemed to be the amount due to the seller, plus the costs related to the purchase accrued until the date of transfer of the fixed asset or intangible asset for use, in particular the costs of transport, loading and unloading, insurance in transit, assembly, installation and commissioning of computer programmes and systems, notary, stamp duty and other fees, interest, commissions, and reduced by value added tax, except in cases where, in accordance with separate regulations, value added tax does not constitute input tax or the taxpayer is not entitled to reduce the amount of tax due by the amount of input tax or to a refund of the tax difference within the meaning of the Value Added Tax Act. In the case of imports, the purchase price includes customs duty and excise duty on the import of assets.

4. The cost of production is considered to be the purchase price of the fixed assets used for production: tangible assets and external services used, labour costs including derivatives, and other costs that can be included in the value of the fixed assets produced. The cost of production does not include the value of the taxpayer's own work, that of their spouse and minor children, general management costs, sales costs and other operating costs and financial transaction costs, in particular interest on loans (credits) and commissions, excluding interest and commissions accrued until the date of transfer of the fixed asset for use.

5. The purchase price referred to in paragraph 3 and the cost of production referred to in paragraph 4 shall be adjusted for exchange rate differences accrued until the date of transfer of the fixed asset or intangible asset for use.

6. The initial value of assets acquired in the manner specified in paragraph 1(3)-(5) that require assembly shall be increased by the expenses incurred for their assembly.

7. The initial value of investments in third-party fixed assets and buildings and structures built on third-party land shall be determined by applying paragraphs 3-5 accordingly.

8. If it is not possible to determine the purchase price of fixed assets or parts thereof acquired by taxpayers before the date of establishing the records or drawing up the list referred to in Article 22n, the initial value of these assets shall be assumed to be the amount resulting from the valuation made by the taxpayer, taking into account the market prices of fixed assets of the same type from December of the year preceding the year of establishing the records or drawing up the list, as well as their condition and degree of wear and tear.

9. If the taxpayer is unable to determine the production cost referred to in paragraph 4, the initial value of the fixed assets shall be determined by an expert appointed by the taxpayer in the amount specified taking into account the market prices referred to in paragraph 8.

10. Taxpayers may determine the initial value of a cooperative right to commercial premises rented, leased or used by the owner for the purposes of their business activity by assuming, in each tax year, a value equal to the product of the square metres of the usable area of the premises rented, leased or used by the owner and the amount of PLN 988, whereby the usable area is considered to be the area accepted for property tax purposes.

11. If an asset is jointly owned by the taxpayer, the initial value of that asset is determined in proportion to the taxpayer's share in the ownership of that asset; this rule does not apply to assets that are jointly owned by spouses, unless the spouses use the asset in separate business activities.

12. In the event of a change in legal form, as well as a merger or division of entities carried out on the basis of separate regulations, the initial value of fixed assets and intangible assets is determined as the initial value specified in the records (list) of the entity with the changed legal form, divided or merged. This rule shall apply accordingly to companies that are not legal persons, including those established as a result of a company transformation.

13. The provision of paragraph 12 shall apply accordingly in the event of:

1) the entity commencing operations after a break of no more than 3 years,
2) a change in the legal form of the business, consisting in the merger or division of existing entities or a change in the partners of a company that is not a legal person,

3) (repealed)

4) (repealed)

5) a change in the business carried out independently by one of the spouses to a business carried out independently by the other spouse

– if, prior to the interruption or change, the assets were entered in the register (list).

13a. The provision of paragraph 12 applies respectively in the case of continuation the business after the death of the entrepreneur by the enterprise in succession.

14. In the event of acquisition by purchase or acceptance for paid use of an enterprise or an organised part thereof, the total initial value of the acquired fixed assets and intangible assets shall be:

1) the sum of their market value in the case of positive goodwill, determined in accordance with paragraph 2;

2) the difference between the purchase price of the enterprise or its organised part, determined in accordance with paragraphs 3 and 5, and the value of assets other than fixed assets or intangible assets, in the absence of positive goodwill.

14a. The provision of paragraph 12 shall apply accordingly in the event of the acquisition of an enterprise or an organised part thereof by way of a non-cash contribution.

14b. In the event of receiving, in connection with the liquidation of a legal person or company, fixed assets and intangible assets which were previously contributed to that legal person or company as a non-cash contribution in the form of an enterprise or an organised part thereof, the provision of paragraph 12 shall apply accordingly.

14c. In the event of receiving, in connection with the liquidation of a company that is not a legal person, the withdrawal of a partner from such a company or a reduction in the capital share in such a company, fixed assets and intangible assets, the provision of paragraph 12 shall apply accordingly.

15. In the event of acquisition of an enterprise or its organised part by way of inheritance or donation, the total initial value of the acquired fixed assets and intangible assets shall be the sum of their market value, but not higher than the difference between the value of that enterprise or its organised part and the value of assets that are not fixed assets or intangible assets, determined for the purposes of inheritance and gift tax.

16. When determining the initial value of individual fixed assets and intangible assets, in accordance with paragraph 1(3)-(5) and paragraphs 2, 8, 9, 14 and 15, the provisions of Article 19 shall apply accordingly.

17. If fixed assets have been improved as a result of conversion, extension, reconstruction, adaptation or modernisation, the initial value of these assets, determined in accordance with paragraphs 1, 3–9 and 11–15, shall be increased by the sum of the expenditure on their improvement, including expenditure on the purchase of components or peripherals whose unit purchase price exceeds PLN 10,000. Fixed assets are considered improved when the total expenditure incurred for their reconstruction, extension, reconstruction, adaptation or modernisation in a given tax year exceeds PLN 10,000 and these expenditure result in an increase in the useful value in relation to the value on the date of acceptance of the fixed assets for use, measured in particular by the period of use, production capacity, quality of products obtained with the improved fixed assets and the costs of their operation.

18. The initial value of property rights, including licences and copyrights, is the purchase price of these rights; if the remuneration (fees) resulting from a licence agreement or an agreement for the transfer of other property rights depends on the amount of revenue from the licence or rights obtained by the licensee or purchaser, this part of the remuneration shall not be taken into account when determining the initial value of property rights, including licences.

19. (repealed)

20. In the event of permanent separation of a component or peripheral part from a given fixed asset, the initial value of that asset shall be reduced, from the month following the separation, by the difference between the purchase price (production cost) of the separated part and the depreciation write-offs attributable to it during the period of connection, calculated using the depreciation method and depreciation rate used to calculate the depreciation write-offs for that fixed asset. the sum of depreciation write-offs calculated using the depreciation method and depreciation rate applied in calculating depreciation write-offs for that fixed asset.

21. If the disconnected part is subsequently connected to another fixed asset, the initial value of that other asset shall be increased in the month of the connection by the difference referred to in paragraph 20.

22. The provision of paragraph 12 shall apply if separate provisions stipulate that an entity established as a result of a change in legal form, division or merger, or an existing entity to which part of the assets of the entity divided, transferred as a result of a spin-off, assumes all rights and obligations of the entity with a changed legal form, merged or divided.

Art. 22h. 1. Depreciation write-offs shall be made:

1) from the initial value of fixed assets or intangible assets, subject to Article 22k, starting from the first month following the month in which the asset or value was entered in the register (list), subject to Article 22e, until the end of the month in which the sum of depreciation write-offs equals their initial value or in which they were liquidated, sold or found to be deficient; the sum of depreciation write-offs also includes write-offs which, pursuant to Article 23(1), are not considered tax-deductible costs;

2) for maritime transport rolling stock under construction ordered by the shipowner, referred to in Article 22a(2)(4), starting from the first month following the month in which the shipowner incurred expenses (including advance payments) for the construction of the fleet in the amount of at least 10% of the contract value separately for each object of the fleet; the contract value referred to in this point shall be determined on the date of conclusion of the contract for the construction of a given object;

3) from seasonally used fixed assets and intangible assets during their period of use; in this case, the monthly depreciation charge is determined by dividing the annual depreciation charge by the number of months in the season or by 12 months in a year;

4) from disclosed fixed assets or intangible assets not yet included in the records, starting from the month following the month in which these assets or values were entered in the records of fixed assets and intangible assets.

2. Taxpayers, subject to Articles 22l and 22ł, shall choose one of the depreciation methods specified in Articles 22i-22k for individual fixed assets before commencing their depreciation; the chosen method shall be applied until the fixed asset is fully depreciated.

3. Entities established as a result of a change in legal form, division or merger of entities referred to in Article 22g(12) or (13) shall make depreciation write-offs taking into account the current amount of write-offs and continue the depreciation method adopted by the entity with a changed legal form, divided or merged. 12 or 13, shall make depreciation write-offs taking into account the previous amount of write-offs and shall continue the depreciation method adopted by the entity with a changed legal form, divided or merged, taking into account Article 22i(2)-(7).

3a. The provision of paragraph 3 shall apply accordingly in the event of the acquisition of an enterprise or an organised part thereof by way of a non-cash contribution, if the assets included in the non-cash contribution were entered in the register of fixed assets and intangible assets of the entity making such a contribution. 3b. In the event of receiving, in connection with the liquidation of a legal person or company, fixed assets and intangible assets which were previously contributed to that legal person or company as a non-cash contribution in the form of an enterprise or its organised part thereof, the provision paragraph 3 shall apply apply accordingly.

3c. In the event of receiving, in connection with the liquidation of a company that is not a legal person, the withdrawal of a partner from such a company or a reduction in the capital share in such a company, fixed assets and intangible assets, the provision of paragraph 3 shall apply accordingly.

3d. The provision of paragraph 3 shall apply mutatis mutandis in the case specified in Article 22g(1)(4)(a).

3e. The provision of (3) shall apply accordingly in the case of continuation the business after the death of the entrepreneur by the enterprise in inheritance.

4. Taxpayers may make depreciation write-offs in equal monthly instalments or in equal quarterly instalments, or once at the end of the tax year, taking into account Article 22i. The sum of depreciation write-offs on fixed assets and intangible assets and legal rights made in the first tax year in which these assets were entered in the records may not exceed the value of these write-offs for the period from their entry in the records (list) until the end of that tax year.

Art. 22i. 1. Depreciation write-offs on fixed assets, subject to Articles 22j–22ł, shall be made using the depreciation rates specified in the List of depreciation rates and rules referred to in Article 22h(1)(1).

2. Taxpayers may given in the List of depreciation rates rates increase:

1) for buildings and structures used in conditions:
   a) deteriorated – using coefficients not higher than 1.2,
   b) bad – using coefficients not higher than 1.4;
2) for machinery, equipment and means of transport, except for maritime vessels, used more intensively than average conditions

or requiring special technical efficiency – using coefficients not higher than 1.4 during this period;

3) for machinery and equipment classified in groups 4–6 and 8 of the Classification, subject to rapid technical progress – using coefficients not exceeding 2.0.

3. If the conditions justifying the increase in the rates referred to in paragraph 2(1) and (2) arise or cease to exist, these rates shall be increased or decreased from the month following the month in which the circumstances justifying these changes arose.

4. Taxpayers may increase the rates for fixed assets listed in paragraph 2(3) or opt out of their application from the month following the month in which these assets were entered in the records, or from the first month of each subsequent tax year.

5. Taxpayers may reduce the rates specified in the List of depreciation rates for individual fixed assets. The rate change shall take effect from the month in which these assets were entered in the records or from the first month of each subsequent tax year.

6. In the event of an increase in the depreciation rates specified in the List of depreciation rates using the coefficients specified in paragraph 2, a single selected coefficient shall be applied to individual fixed assets, by which the depreciation rate applicable to a given fixed asset, taken from the List of depreciation rates, shall be multiplied.

7. Explanations regarding the conditions for the use of buildings and structures, the determination of the specific technical efficiency of machinery, equipment and means of transport, and machinery and equipment subject to rapid technical progress, referred to in paragraph 2, are included in the explanations to the List of depreciation rates.

8. The provisions of paragraphs 4 and 5 shall not apply to fixed assets used by taxpayers in activities whose revenues are subject to:

1) exemption from income tax – during the period of such exemption;

2) flat-rate taxation on recorded income, tonnage tax or flat-rate tax on the value of sold production, referred to in the Act of 6 July 2016 on the activation of the shipbuilding industry and complementary industries – during the period of such taxation.

Art. 22j. 1. Taxpayers, subject to Art. 22l, may individually determine depreciation rates for used or improved fixed assets entered into the taxpayer's records for the first time, provided that the depreciation period may not be shorter than:

1) for fixed assets classified in groups 3–6 and 8 of the Classification:
   a) 24 months – if their initial value does not exceed PLN 25,000,
   b) 36 months – if their initial value is higher than PLN 25,000 and does not exceed PLN 50,000,
   c) 60 months – in other cases;
2) for means of transport, including passenger cars – 30 months;
3) for buildings (premises) and structures other than those listed in point 4 – 10 years, with the exception of:
   a) commercial and service buildings permanently attached to the ground listed in type 103 of the Classification and other non-residential buildings listed in type 109 of the Classification, permanently attached to the ground,
   b) goods kiosks with a volume of less than 500 m^3, caravans and temporary buildings

   – for which the depreciation period cannot be shorter than 3 years;
4) for non-residential buildings (premises) for which the depreciation rate from the List of depreciation rates is 2.5% – 40 years reduced by the full number of years that have elapsed from the date of their first use to the date of entry in the register of fixed assets and intangible assets kept by the taxpayer, provided that the depreciation period cannot be shorter than 10 years.

2. The fixed assets referred to in paragraph 1(1) and (2) shall be considered:

1) used – if the taxpayer proves that prior to their acquisition they were used by an entity other than the taxpayer for at least 6 months, or
2) improved – if, prior to their entry in the records, the expenses incurred by the taxpayer for their improvement constituted at least 20% of their initial value.

3. The fixed assets referred to in paragraph 1(3) shall be considered:

1) used – if the taxpayer proves that prior to their acquisition they were used by an entity other than the taxpayer for at least 60 months, or

2) improved – if, prior to their entry into the records, the taxpayer's expenditure on their improvement amounted to at least 30% of their initial value.

4. Taxpayers may individually determine depreciation rates for investments in third-party fixed assets accepted for use, except that for:

1) investments in third-party buildings (premises) or structures – the depreciation period cannot be shorter than 10 years;

2) investments in third-party fixed assets other than those listed in point 1 – the is determined according to the rules specified in section 1 points 1 and 2.

5. (repealed)

6. Taxpayers may individually determine depreciation rates for depreciation for first entered into the register:

1) exploratory or production wells,

2) drilling or production platforms

– provided that their depreciation period cannot be shorter than 60 months.

7. Taxpayers who are micro, small or medium-sized entrepreneurs within the meaning of the Act of 6 March 2018 – Entrepreneurs Law may individually determine depreciation rates for self-produced fixed assets that are non-residential buildings (premises) and structures, classified in groups 1 and 2 of the Classification, entered for the first time in the taxpayer's fixed asset and intangible asset register, if the fixed asset is located in the area of:

1) a municipality located in a district or a city with district rights, where the average unemployment rate is at least 120% of the average unemployment rate in the country, and

2) a municipality or city with county rights, where the individual wealth index of the municipality or city with county rights is less than 100% of the wealth index of all municipalities or cities with county rights.

8. Where the fixed asset referred to in paragraph 7 is located in a municipality in a district where the average unemployment rate is:

1) between 120% and 170% of the average unemployment rate in the country, the depreciation period for this fixed asset may not be shorter than 10 years;

2) above 170% of the average unemployment rate in the country – the depreciation period for the useful life of this fixed asset may not be less than 5 years.

9. Compliance with the conditions referred to in paragraph 7 shall be determined for the month in which one of the following events occurred:

1) the decision to grant a building permit becomes final;

2) the deadline for lodging an objection to the construction notification has expired or a certificate of no grounds for lodging such an objection has been issued;

3) the fixed asset was entered for the first time in the register of fixed assets and intangible assets – if the construction of this fixed asset does not require a building permit or a construction notification, or if for other reasons no such decision was issued or such notification was not made.

10. The average unemployment rate in the district and the average unemployment rate in the country referred to in paragraph 7(1) and paragraph 8 are understood to mean the average unemployment rate in the district and the average unemployment rate in the country announced by the President of the Central Statistical Office on the basis of Article 255 of the Act of 20 March 2025 on the labour market and employment services in the year immediately preceding the year in which the event referred to in paragraph 9 occurred. The average unemployment rate in the district shall also be understood as the average unemployment rate in a city with district rights.

11. The individual prosperity index of a municipality or city with county rights and the prosperity index of all municipalities or cities with county rights referred to in paragraph 7(2) shall be understood as the indices within the meaning of Article 24(3) and (4) of the Act of 1 October 2024 on the revenues of local government units (Journal of Laws, items 1572 and 1717), which form the basis for calculating the compensatory amounts for the year immediately preceding the year in which the event referred to in paragraph 9 occurred.

12. The minister responsible for public finance shall, by 31 December each year, publish the values of the indicators referred to in paragraph 11 in the Official Journal of the Republic of Poland, Monitor Polski.

13. The aid referred to in paragraph 7 shall constitute *de minimis* aid granted within the scope and under the rules laid down in directly applicable European Union legislation on *de minimis* aid.

Article 22k. 1. Depreciation write-offs may be made on the initial value of machinery and equipment classified in groups 3-6 and 8 of the Classification and

means of transport, excluding passenger cars, in the first tax year of their use, applying the rates specified in the List of increased depreciation rates, subject to paragraph 2, by a factor not exceeding 2.0, and in subsequent tax years from their initial value less depreciation write-offs to date, determined at the beginning of subsequent years of their use. Starting from the tax year in which the annual depreciation amount determined in this way would be lower than the annual depreciation amount calculated using the method specified in Article 22i(1), taxpayers shall make further depreciation write-offs in accordance with Article 22i.

2. In the case of the use of fixed assets specified in paragraph 1 in a taxpayer's plant located in a municipality at particular risk of high structural unemployment or in a municipality at risk of recession and social degradation, the list of which is determined by the Council of Ministers on the basis of separate regulations – the rates specified in the List of Depreciation Rates may be increased by applying coefficients not exceeding 3.0, calculating depreciation write-offs in accordance with the principle specified in paragraph 1.

3. If during the tax year:

1) the municipality is excluded from the list referred to in paragraph 2, or

2) the taxpayer ceases to have its registered office in the municipality referred to in paragraph 2

– taxpayers may apply increased depreciation rates until the end of this year.

4. (repealed)

5. (repealed)

6. (repealed)

7. Taxpayers, in the tax year in which they commenced business activity, subject to paragraph 11, and small taxpayers may make one-off depreciation write-offs on the initial value of fixed assets classified in groups 3–8 of the Classification, excluding passenger cars, in the tax year in which these assets were entered in the register of fixed assets and intangible assets, up to an amount not exceeding the equivalent of EUR 50,000 of the total value of these depreciation write-offs in the tax year.

8. Taxpayers may make depreciation write-offs referred to in paragraph 7 no earlier than in the month in which the fixed assets were entered in the register of fixed assets and intangible assets, or apply the rules specified in Article 22h(4). From the following tax year

, taxpayers shall make depreciation write-offs in accordance with paragraph 1 or Article 22i; the sum of depreciation write-offs, including those made in the first tax year and not included in tax-deductible costs in accordance with Article 22(1), may not exceed the initial value of these fixed assets.

9. When determining the limit referred to in paragraph 7, depreciation write-offs on the initial value of fixed assets and intangible assets not exceeding PLN 10,000, referred to in Article 22f(3), shall not be taken into account.

10. The aid referred to in paragraph 7 shall constitute *de minimis* aid granted within the scope and under the rules laid down in directly applicable Community legislation on *de minimis* aid.

11. The provision of paragraph 7 shall not apply to a taxpayer commencing business activity who, in the year of commencing such activity, as well as in the period of two years from the end of the year preceding the year of commencing such activity, conducted business activity independently or as a partner in a company not being a legal person, or such activity was conducted by the spouse of that person, if the spouses had joint property at that time.

12. The conversion into zlotys of the amount referred to in paragraph 7 shall be made at the average euro exchange rate announced by the National Bank of Poland on the first working day of October of the year preceding the tax year in which the event referred to in that provision occurred, rounded to PLN 1,000.

13. In the case of a company that is not a legal person, the amount of the depreciation allowance limit referred to in paragraph 7 shall refer to the total value of the allowances attributable to the partners of that company in accordance with Article 8.

14. Taxpayers conducting business activity may make one-off depreciation write-offs on the initial value of newly purchased fixed assets classified in groups 3–6 and 8 of the Classification in the tax year in which these assets were entered into the register of fixed assets and intangible assets, up to an amount not exceeding PLN 100,000 in a tax year. The amount of PLN 100,000 includes the sum of depreciation write-offs and payments towards the purchase of a fixed asset referred to in Article 22(1s), classified as tax-deductible costs.

15. The provision of paragraph 14 shall apply provided that:

1) the initial value of a single fixed asset referred to in paragraph 14, acquired in a tax year, is at least PLN 10,000, or

2) the total initial value of at least two fixed assets referred to in paragraph 14, acquired in the tax year, is at least PLN 10,000, and the initial value of each of them exceeds PLN 3,500.

16. The amount of the one-off depreciation write-off referred to in paragraph 14 shall be reduced by the amount of the payment towards the purchase of a fixed asset referred to in Article 22(1s) included in tax-deductible costs.

17. In the case referred to in paragraph 15(2), the amount of the one-off depreciation write-off referred to in paragraph 14 shall be reduced by the amount of depreciation write-offs made by the taxpayer on the fixed assets referred to in paragraph 14.

18. The provision of paragraph 8 shall apply accordingly to depreciation write-offs on fixed assets referred to in paragraph 14, the provision of paragraph 8 shall apply accordingly, except that the sum of depreciation write-offs and payments towards the purchase of a fixed asset referred to in Article 22(1s), included in tax-deductible costs, may not exceed the initial value of those fixed assets.

19. In the case of a company that is not a legal person, the amount of the depreciation write-off limit referred to in paragraph 14 shall refer to the total value of write-offs attributable to the partners of that company in accordance with Article 8.

20. If, in connection with the acquisition of a fixed asset, the taxpayer is entitled to a one-off depreciation write-off referred to in paragraphs 7 and 14, he shall make a depreciation write-off on the basis of paragraph 7 or 14.

21. If the taxpayer has included in tax-deductible costs a payment towards the acquisition of a fixed asset referred to in Article 22(1s), and then:

1) before acquiring the fixed asset referred to in paragraph 14:
   a) it liquidated its business activity or
   b) changed the form of taxation to a flat-rate form of taxation specified, respectively, in the Act on flat-rate income tax, in the Act of 24 August 2006 on tonnage tax or in the Act of 6 July 2016 on the activation of the shipbuilding industry and complementary industries, or
2) after acquiring the fixed asset referred to in paragraph 14:
   a) it did not make a one-off depreciation write-off on the fixed asset or
   b) sold the fixed asset for consideration

– is obliged to increase revenues by the payment for the purchase of a fixed asset referred to in Article 22(1s), respectively on the last day of

business activity before its liquidation, on the last day of business activity before the change in the form of taxation, on the day on which the taxpayer made the first write-off pursuant to paragraph 1 or Article 22i, or on the day of the sale of the fixed asset.

Article 22l. 1. Depreciation write-offs on maritime transport rolling stock under construction, referred to in Article 22a(2)(4), shall be made in monthly instalments using the depreciation rates specified for floating rolling stock in the List of Depreciation Rates.

2. The basis for calculating depreciation write-offs on the rolling stock referred to in paragraph 1 shall be the part of the contract value referred to in Article 22h(1)(2), increased by subsequent expenses (advance payments) incurred for the construction of a given facility; these expenses successively increase the basis for depreciation write-offs in the month following the month in which they were incurred.

3. Depreciation write-offs referred to in paragraph 1 shall be made by the end of the month in which the rolling stock was accepted for use; if no agreement is concluded transferring ownership of the ordered rolling stock to the shipowner, the shipowner shall be obliged to reduce the tax-deductible costs by the depreciation write-offs made, calculated in accordance with paragraphs 1 and 2, in the month in which the agreement was terminated.

4. Depreciation write-offs on maritime rolling stock accepted for use shall be made in accordance with Article 22i. The sum of depreciation write-offs made in accordance with Article 22i and depreciation write-offs referred to in paragraph 2 may not exceed the initial value of the given maritime transport rolling stock item.

Art. 22ł. 1. From fixed assets and intangible assets received for use against payment, in accordance with agreements concluded on the basis of provisions on commercialisation and privatisation, if these agreements provide for the right to purchase these assets or values by the user at a price specified in the agreements, taxpayers shall make depreciation write-offs on the terms specified in Art. 22h(1). Depreciation rates, taking into account Articles 22i and 22m, shall be determined in proportion to the period specified in the agreement, except for fixed assets and intangible assets with a shorter depreciation period than the term of the agreement.

2. In the event of the acquisition of fixed assets or intangible assets received for use against payment on the basis of the agreements referred to in paragraph 1, before the expiry of the period for which the agreement was concluded, taxpayers shall make

further depreciation write-offs from these assets and values, continuing the application of the rules and rates specified in paragraph 1.

3. In the event of an extension of the term of a contract concluded on the basis of the provisions referred to in paragraph 1, the depreciation rates shall be reduced in proportion to the extension of the term of the contract, except for fixed assets or intangible assets with a depreciation period shorter than the term of the contract; this rule shall apply only to depreciation rates applied from the month following the month in which the contract was amended.

4. Depreciation write-offs on fixed assets or intangible assets transferred for use under agreements other than those referred to in paragraph 1 shall be made by the financing party or the user, respectively, in accordance with the rules laid down in Articles 22h-22k and Article 22m, taking into account the provisions of Chapter 4a.

5. If agreements other than those referred to in paragraph 1 concern fixed assets classified in groups 3-6 of the Classification and have been concluded for a period of at least 60 months and, in accordance with the provisions of Chapter 4a, depreciation write-offs are made by the user, the taxpayer may apply the rules specified in paragraphs 1-3.

6. If, in accordance with the provisions of Chapter 4a:

1) depreciation write-offs are made by the user, or

2) the financier waives depreciation write-offs

– and there is a change, expiry or termination of the agreements referred to in paragraphs 4 or 5, and therefore the ownership of fixed assets or intangible assets is not transferred to the user, the owner taking over these assets shall determine their initial value in accordance with Article 22g, before concluding the first lease agreement, reduced by the repayment of the initial value referred to in Article 23a(7) and by the sum of depreciation write-offs made by the owner, referred to in Article 22h(1)(1).

Art. 22m. 1. Subject to paragraphs 2 and 3 and Art. 22ł paragraphs 1–3, the period for depreciation write-offs on intangible assets may not be shorter than:

1) for licences (sublicences) for computer programmes and copyrights –

24 months;

2) for licences for the screening of films and the broadcasting of radio and television programmes – 24 months;

3) for costs incurred for completed development work – 12 months;

4) from other intangible assets – 60 months.

2. If the period of use of the property rights referred to in section 1(2) resulting from the agreement is shorter than the period specified in that provision, taxpayers may make depreciation write-offs during the period resulting from the agreement.

3. Taxpayers shall determine depreciation rates for individual intangible assets for the entire depreciation period before commencing depreciation write-offs.

4. Depreciation write-offs on cooperative rights to commercial premises are made using an annual depreciation rate of 2.5%, and if the initial value of this right was determined in accordance with Article 22g(10), the annual depreciation rate is 1.5%.

Article 22n. 1. Taxpayers who keep accounting books in accordance with accounting regulations are required to include in their records of fixed assets and intangible assets the information necessary to calculate depreciation write-offs in accordance with Articles 22a-22m.

2. Taxpayers keeping a tax revenue and expense ledger are required to keep records of fixed assets and intangible assets containing, subject to paragraph 3, at least:

1) serial number;

2) date of acquisition;

3) date of acceptance for use;

4) specification of the document confirming the acquisition;

5) specification of the fixed asset or intangible asset;

6) Fixed Asset Classification symbol;

7) initial value;

8) depreciation rate;

9) amount of depreciation write-off for a given tax year and cumulatively for the period of making these write-offs, including when the asset was ever entered into the register (list), then deleted from it and re-entered;

10) updated initial value;

11) updated amount of depreciation write-offs;

12) the value of improvements increasing the initial value;

13) the date of liquidation and its reason or the date of disposal.

3. The following are not subject to registration:

1) residential buildings, residential premises constituting a separate property, land or perpetual usufruct rights to land related to such a building or premises, cooperative ownership rights to residential premises and rights to a single-family house in a housing cooperative;

2) cooperative right to commercial premises, the initial value of which is determined in accordance with Article 22g(10).

4. Entries concerning fixed assets and intangible assets shall be made in the records at the latest in the month in which they are put into use. A later date of entry shall be considered as disclosure of a fixed asset referred to in Article 22h(1)(4).

5. In the event of a change in the form of taxation, taxpayers, when establishing the records referred to in paragraph 2, shall include depreciation write-offs for the period of taxation in the form of a flat-rate income tax, tonnage tax or flat-rate tax on the value of sold production, referred to in the Act of 6 July 2016 on the activation of the shipbuilding industry and complementary industries.

6. In the absence of records of fixed assets and intangible assets, depreciation write-offs do not constitute tax-deductible costs.

Art. 22o. 1. The minister responsible for public finance shall specify, by way of a regulation, the procedure and deadlines for updating the valuation of fixed assets referred to in Art. 22a, the initial value of assets referred to in Article 22d(1), the amount specified in Article 22g(10) for calculating the initial value of a cooperative right to commercial premises, the unit purchase price of components and peripherals referred to in Article 22g(17), and the initial value of fixed assets referred to in Article 22j(1)(1)(a) and (b), if the growth rate of investment expenditure over a period of two quarters and over a period of four quarters of a given calendar year exceeds 10% in relation to the corresponding periods of the previous year.

2. The rates of increase in investment expenditure shall be announced by the President of the Central Statistical Office on a quarterly basis.

Art. 22p. 1. Taxpayers conducting non-agricultural business activity shall not include in their tax-deductible costs the part of the cost in which the payment relating to the transaction specified in Art. 19 of the Act of 6 March 2018 – Entrepreneurs Law:

1) was made without the use of a payment account or

2) was made by bank transfer to an account other than the one included on the date of the transfer order in the list of entities referred to in Article 96b(1) of the Goods and Services Tax Act – in the case of the supply of goods or services, confirmed by an invoice, made by a supplier of goods or services registered for VAT purposes as an active VAT taxpayer, or

3) despite the inclusion of the words "split payment mechanism" on the invoice in accordance with Article 106e(1)(18a) of the Goods and Services Tax Act, it was made without using the split payment mechanism specified in Article 108a(1a) of that Act.

2. In the event of including in tax-deductible costs the cost in the part in which the payment relating to the transaction specified in Article 19 of the Act of 6 March 2018 - Entrepreneurs Law was made in violation of paragraph 1, taxpayers conducting non-agricultural business activity in this part:

1) shall reduce their tax-deductible costs or

2) if it is not possible to reduce tax-deductible costs, increase revenues.

– in the month in which the payment was made without the use of a payment account, a transfer was ordered or the payment was made without using the split payment mechanism.

3. The provisions of paragraphs 1 and 2 shall apply accordingly in the case of:

1) the acquisition of or the production of fixed assets or the acquisition of intangible assets intangible assets;

2) making payments:

   a) after liquidation of non-agricultural business activity,

b) after changing the form of taxation to a flat-rate form of taxation specified in the Act on flat-rate income tax or in the Act of 24 August 2006 on tonnage tax

– provided that the reduction in tax-deductible costs or increase in revenue occurs for the tax year in which the activity was liquidated or for the tax year preceding the tax year in which the change in the form of taxation took place.

4. The provisions of paragraph 1(2) and paragraph 2, insofar as they concern payments made in violation of paragraph 1(2), shall not apply if the payment of the amount due by the taxpayer:

1) was made by bank transfer to an account other than the one included on the date of the transfer order in the list of entities referred to in Article 96b(1) of the Goods and Services Tax Act, and the taxpayer submitted, upon the first payment of the amount due by transfer to that account, the notification referred to in Article 117ba § 3(2) of the Tax Ordinance to the head of the tax office competent for the taxpayer who made the payment, within 7 days from the date of the transfer order, or

2) the payment was made by bank transfer to the account of a bank or a cooperative savings and credit union:

a) used to settle accounts for monetary claims acquired by that bank or credit union or

b) used by that bank or credit union to collect payments from the purchaser of goods or services for the delivery of goods or provision of services, confirmed by an invoice, and to transfer it in whole or in part to the supplier of goods or services, or

c) maintained by that bank or credit union as part of its own management, not being a settlement account

– if, respectively, the bank, cooperative savings and credit union or entity issuing the invoice, together with information about the account number for payment, has provided the taxpayer with information that the account indicated for payment is an account referred to in points (a), (b) or (c), or

3) was made using the split payment mechanism referred to

referred to in Article 108a of the Goods and Services Tax Act, or

4) results from an invoice documenting activities related to intra-Community acquisition of goods, import of goods, import of services or supply of goods settled by the purchaser.

Article 23. 1. The following shall not be considered tax-deductible costs:

1) expenditure on:

a) the acquisition of land or perpetual usufruct rights to land, with the exception of fees for perpetual usufruct of land,

b) the acquisition or production of fixed assets and intangible assets other than those listed in point (a), including those forming part of an acquired enterprise or its organised parts,

c) improvements to fixed assets which, in accordance with Article 22g(17), increase the value of fixed assets, which is the basis for calculating depreciation write-offs.

– these expenses, updated in accordance with separate regulations, less the sum of depreciation write-offs referred to in Article 22h(1)(1), are, however, tax-deductible when determining income from the sale of items specified in Article 10(1)(8)(d), and when the sale of items and rights is the subject of economic activity, as well as in the case of the sale of assets related to economic activity referred to in Article 14(2)(1), regardless of when they were incurred;

2) (repealed)

3) (repealed)

4) depreciation allowances for passenger cars, made in accordance with the rules specified in Articles 22a–22o, in the part determined on the basis of the value of the car exceeding the amount of:

a) PLN 225,000 – in the case of a passenger car which is an electric vehicle within the meaning of Article 2(12) of the Act of 11 January 2018 on electromobility and alternative fuels (Journal of Laws of 2024, item 1289, 1853 and 1881) and in the case of a passenger car that is a hydrogen-powered vehicle within the meaning of Article 2(15) of that Act,

[b) PLN 150,000 – in the case of other passenger cars;]

<b) PLN 150,000 – if emission CO_2 of the engine combustion engine passenger car

passenger car, determined on the basis of data contained in the central

The new wording of point (b) and the added point (c) in point 4 of paragraph 1 of Article 23 shall enter into force on 1 January 2026 (Journal of Journal of Laws of 2021, item 2269, of 2023 item 1681 and of 2024, item 1006 and 1853).

vehicle register, referred to in Article 80a of the Act of 20 June 1997 – Road Traffic Law, is less than 50 g per kilometre,>

<c) PLN 100,000 – if the CO_2 emissions of a passenger car's combustion engine, determined on the basis of data contained in the central register of vehicles , referred to in Article 80a of the Act of 20 June 1997 – Road Traffic Law, are equal to or higher than 50 g per kilometre;>

5) losses in fixed assets and intangible assets in the part covered by the sum of depreciation write-offs referred to in Article 22h(1)(1);

6) losses resulting from the liquidation of fixed assets that have not been fully depreciated, if these assets have lost their economic usefulness as a result of a change in the type of activity;

6a) losses in fixed assets and intangible assets, if these assets or values have been transferred outside the territory of the Republic of Poland in the manner specified in Article 30da;

7) write-offs and contributions to various types of funds created by the taxpayer; however, the following are tax-deductible costs:

a) basic write-offs and contributions to these funds, if the obligation or possibility of creating them at the expense of costs is specified in separate acts,

b) write-offs and increases which, within the meaning of the provisions on the company social benefits fund, are charged to the employer's operating costs, if the cash equivalent of these write-offs and increases has been paid into the Fund's account;

8) expenses for:

a) repayment of loans (credits), except for capitalised interest on these loans (credits), provided that the cost of obtaining revenue is the expenditure on the repayment of the loan (credit) if the loan (credit) was indexed to a foreign currency exchange rate, if:

– the borrower (credit taker) repays an amount of capital greater than the amount of the loan (credit) received in connection with the repayment of the loan (credit) – in the amount of the difference between the amount of capital repaid and the amount of the loan (credit) received,

– the lender (creditor) receives cash constituting repayment of capital in an amount lower than the amount of the loan (credit) granted – in the amount of the difference between the amount of the loan (credit) granted and the amount of capital repaid,

b) repayment of other liabilities, including under granted guarantees and sureties,

c) redemption of capital related to the creation (acquisition), increase or improvement of the source of income;

9) interest on own capital invested by the taxpayer in the source of income;

9a) interest on the capital share of a partner in a company that is not a legal person;

10) the value of the taxpayer's own work, that of their spouse and minor children, and in the case of conducting business activity in the form of a company that is not a legal person – also the spouses and minor children of the partners of that company; the cost of obtaining revenue is however remuneration spouse taxpayer and minor children of the taxpayer, and in the case of conducting business activity in the form of a company that is not a legal person - also spouses and minor children of the partners of that company, due for the reasons specified in Article 12(1), Article 13(2), (8) and (9) or for graduate internships referred to in the Act of 17 July 2009 on graduate internships , subject to point 55 and Article 22(6ba);

10a) the value of the work of persons referred to in Article 3 of the Act on Succession Management for the benefit of the enterprise in succession;

11) donations and offerings of all kinds, provided that the tax-deductible costs are the production costs or purchase price of food products referred to in Article 43(1)(16) of the Goods and Services Tax Act, transferred to organisations of public benefit within the meaning of the provisions of the Public Benefit Activity Act, intended exclusively for the charitable activities carried out by these organisations;

12) income tax, inheritance tax and gift tax;

13) one-off compensation for accidents at work and occupational diseases in the amount specified by the competent minister and an additional insurance contribution in the event of a deterioration in working conditions;

14) enforcement costs related to non-performance of obligations;

15) fines and financial penalties imposed in criminal, fiscal, administrative and misdemeanour proceedings, and interest on such fines and penalties;

16) penalties, fees and damages, and interest on these liabilities arising from:

a) non-compliance with environmental protection regulations,

b) failure to comply with orders issued by competent authorities responsible for supervision and control

concerning breaches in the field of occupational health and safety;

16a) additional product fee referred to in Article 17(2) of the Act of 11 May 2001 on the obligations of entrepreneurs in the field of management of certain waste and on the product fee (Journal of Laws of 2024, item 433), with the proviso that the tax-deductible cost is the product fee referred to in Article 12(2) of that Act;

16b) an additional fee for the lack of a vehicle collection network, referred to in Article 17(2) of the Act of 20 January 2005 on the recycling of end-of-life vehicles (Journal of Laws of 2020, item 2056), except that the costs incurred are the fees referred to in Article 14(1) and Article 28a(1) of that Act, excluding half of the fee determined in accordance with Article 28a(4) of that Act;

16c) the additional product fee referred to in Article 77(2) of the Act of 11 September 2015 on waste electrical and electronic equipment (Journal of Laws of 2024, item 573), except that the tax-deductible cost is the fee referred to in Article 72(2) of that Act;

16d) an additional product fee referred to in Article 42(2) of the Act of 24 April 2009 on batteries and accumulators (Journal of Laws of 2024, items 1004 and 1635), except that the tax-deductible costs are the expenses referred to in Article 37(4) and the fees referred to in Article 38(2) of that Act;

16e) the additional product fee referred to in Article 37(2) of the Act of 13 June 2013 on packaging and packaging waste management, except that the tax-deductible cost is the product fee incurred, referred to in Article 34(2) of this Act;

16f) the additional fee referred to in Article 12i(1) and (1a) of the Act of 11 September 2015 on public health (Journal of Laws of 2024, item 1670 and of 2025, item 340);

16g) the additional fee referred to in Article 9^2 paragraph 21 of the Act of 26 October 1982 on upbringing in sobriety and counteracting alcoholism (Journal of Laws of 2023, item 2151);

17) debts written off as time-barred;

18) interest for late payment of budgetary receivables and other receivables to which the provisions of the Act of 29 August 1997 – Tax Ordinance apply;

19) contractual penalties and compensation for defects in delivered goods, performed works and services, and delays in the delivery of goods free from defects or delays in the removal of defects in goods or performed works and services;

20) receivables written off as uncollectible, except for receivables or parts thereof which were previously recognised as accrued income pursuant to Article 14 and whose uncollectibility has been documented in the manner specified in paragraph 2;

21) write-downs, except that write-downs on receivables, as defined in the Accounting Act, on that part of receivables which was previously recognised as accrued revenue pursuant to Article 14 and whose uncollectibility has been substantiated pursuant to paragraph 3, are tax-deductible;

22) provisions, if the obligation to create them as costs does not result from separate acts; however, provisions created in accordance with the Accounting Act are not tax-deductible costs;

23) representation costs, in particular those incurred for catering services, the purchase of food and beverages, including alcoholic beverages;

24) (repealed)

25) (repealed)

26) additional annual fees for failure to develop or utilise land within a specified period, resulting from the provisions on real estate management;

27) loans granted, including lost loans;

28) (repealed)

29) contributions referred to in Article 21(1) and Article 23 of the Act on Vocational Rehabilitation;

30) contributions to organisations to which the taxpayer's membership is not mandatory, with the exception of:

a) payments made by taxpayers conducting business activity in the field of tourism, leisure, sport and recreation to the Polish Tourist Organisation,

b) contributions to to organisations associating entrepreneurs and employers, operating on the basis of separate acts – up to a total amount not exceeding in a tax year the amount corresponding to 0.25% of the remuneration paid in the previous tax year, constituting the basis for calculating social security contributions; if the entrepreneur did not pay these salaries, the amount of contributions included in tax-deductible costs in the tax year may not exceed PLN 250;

31) tax-deductible costs from sources of income located in the Republic of Poland or abroad, if the income from these sources is not subject to taxation at all or is exempt from income tax;

32) accrued but unpaid or written off interest on liabilities,
including interest on loans (credits);

33) interest, commissions and exchange rate differences on loans (credits) increasing investment costs during the period of implementation of these investments;

34) losses from the sale of receivables, including those specified in Article 17(1)(9), with the exception of receivables or parts thereof which were previously recognised as accrued income pursuant to Article 14, up to the amount previously recognised as accrued income;

34a) losses in the part not covered by income obtained from acquired receivables,
including the acquired debt portfolio;

34b) expenses for the acquisition of receivables, if the receivable was previously sold by the taxpayer or a company that is not a legal person in which the taxpayer is a partner – in the part exceeding the revenue obtained by the taxpayer from that previous or first sale;

35) (repealed)

36) expenses incurred for employees for the use of cars for the purposes of their business activities:

a) for business trips (long-distance travel) in an amount exceeding the amount determined using the rates per kilometre of vehicle mileage,

b) for local journeys – in an amount exceeding the monthly lump sum or in an amount exceeding the rates per kilometre of vehicle mileage,

specified in separate regulations issued by the competent minister;

37) social security contributions and the Labour Fund, Solidarity Fund and other special-purpose funds established on the basis of separate acts – from awards and bonuses paid in cash or securities from income after income tax;

37a) contributions made to employee capital plans referred to in the Act on Employee Capital Plans – from awards and bonuses paid from income after income tax;

38) expenses for the acquisition or purchase of shares or contributions in a cooperative, shares (stocks) and securities, as well as expenses for the purchase of participation titles in capital funds; however, such expenses are a tax-deductible cost of the sale of these shares in a cooperative, shares (stocks) and securities, from the redemption of bonds by the issuer, as well as from the cancellation, repurchase, redemption or destruction in any other manner of participation titles in capital funds , subject to paragraph 3e, in the part not included in any form in the costs of obtaining revenue;

38a) expenses related to the acquisition of derivative financial instruments – until the rights arising from these instruments are exercised or waived or until they are sold for consideration – provided that these expenses, pursuant to Article 22g(3) and (4), do not increase the initial value of the fixed asset and intangible assets;

38b) interest and commissions paid on a loan for which securities, shares, cooperative shares or derivative financial instruments were acquired, attributable proportionally to that part of the loan which was not spent on the acquisition of those securities, shares, shares in a cooperative or derivative financial instruments;

38c) expenses incurred by a partner for the purchase or acquisition of shares transferred to the acquiring company by way of a share exchange; these expenses constitute tax-deductible costs in the case of the sale or redemption of the shares of the acquiring company received in exchange for them, determined in accordance with point 38 and Article 22(1f);

38d) expenses incurred in connection with the conversion of virtual currency into another virtual currency;

39) (repealed)

40) written-off loans, if their write-off is not related to restructuring or bankruptcy proceedings;

41) written-off receivables, except for receivables or parts thereof which were previously recognised as accrued income pursuant to Article 14 – up to the amount recognised as accrued income;

42) employer's expenses for social activities referred to in the provisions on the company social benefits fund; however, holiday benefits paid in accordance with the provisions on the company social benefits fund and the costs referred to in Article 22(1p)(2) are tax-deductible costs;

43) goods and services tax, except that it is a tax-deductible cost:

a) input tax:

– if the taxpayer is exempt from goods and services tax or has purchased goods and services for the purpose of manufacturing or reselling goods or providing services exempt from goods and services tax,

– in the part where, in accordance with the provisions on goods and services tax, the taxpayer is not entitled to a reduction in the amount or a refund of the difference in goods and services tax – if the calculated goods and services tax does not increase the value of a fixed asset or intangible asset,

b) tax due:

– in the case of import of services and intra-Community acquisition of goods, if it does not constitute input tax within the meaning of the provisions on goods and services tax; however, the tax due in excess of the amount of tax on the acquisition of these goods and services, which could constitute input tax within the meaning of the provisions on goods and services tax, is not a tax-deductible cost,

– in the case of transfer or consumption by a taxpayer of goods or provision of services for representation and advertising purposes, calculated in accordance with separate regulations,

– from goods transferred free of charge, calculated in accordance with separate regulations, where the sole condition for their transfer is the prior purchase by the recipient of goods or services from the transferor in a specified quantity or value,

c) the amount of goods and services tax not included in the initial value of fixed assets and intangible assets subject to depreciation in accordance with Articles 22a–22o, or relating to other items or rights that are not fixed assets or intangible assets subject to such depreciation – in the part in which an adjustment was made resulting in a reduction of the tax deducted in accordance with the provisions of the Goods and Services Tax Act;

44) losses resulting from excise goods shortages not covered by the excise duty exemption and excise duty on those shortages;

45) write-offs for the wear and tear of fixed assets and intangible assets made in accordance with the rules set out in Articles 22a–22o, on that part of their value which corresponds to the expenses incurred for the purchase or production of these assets or intangible assets, deducted from the income tax base or refunded to the taxpayer in any form;

45a) depreciation write-offs on the initial value of fixed assets and intangible assets:

a) acquired free of charge, except for those acquired by inheritance, if:

– the acquisition does not constitute income from the gratuitous receipt of property or rights, or

– the income from this is exempt from income tax, or

– the acquisition benefits from exemption from inheritance and gift tax, or

– the acquisition constitutes income from which tax collection has been waived on the basis of separate regulations,

b) if they were acquired before 1 January 1995 but not included in fixed assets or intangible assets,

c) given for free use – for the months in which these components were given for free use;

45b) depreciation write-offs on the initial value of intangible assets and legal rights contributed to a company that is not a legal person in the form of a contribution

non-monetary assets representing the equivalent of information obtained in the field of industrial, commercial, scientific or organisational know-how;

45c) depreciation write-offs on the initial value of intangible assets referred to in Article 22b(1)(4)-(7), if these rights or values were previously acquired or created by the taxpayer or a company that is not a legal person of which he is a partner, and then disposed of – in the part exceeding the income obtained by the taxpayer from their previous disposal;

46) expenses incurred for the use of a passenger car owned by a taxpayer conducting business activity, which is not an asset referred to in Article 14(2)(1), and insurance premiums for such a car; however, these expenses and contributions in the amount of 20% constitute tax-deductible costs, provided that the car this is used also for purposes related to the business activity conducted by the taxpayer;

46a) 25% of the expenses incurred, subject to point 36, for the costs of using a passenger car, other than that specified in point 46, for the purposes of the taxpayer's business activity – if the passenger car is also used for purposes not related to the taxpayer's business activity;

47) contributions for passenger car insurance, other than that specified in point 46, in an amount exceeding their part determined in such proportion as the amount of PLN 150,000 remains to the value of the car accepted for insurance purposes;

[47a) relating to a passenger car, fees arising from a leasing agreement referred to in Article 23a(1), a rental agreement, lease agreement or other agreement of a similar nature, with the exception of fees for passenger car insurance premiums, in an amount exceeding their part determined in such proportion as the amount of PLN 150,000 remains to the value of the passenger car covered by that agreement;]

<47a) in respect of a passenger car, fees arising from a lease agreement

referred to in Article 23a(1), a rental agreement, lease agreement or other agreement

of a similar nature, with the exception of passenger car insurance premiums, in an amount exceeding their portion determined in such proportion as the amount referred to

The new wording of point 47a in paragraph 1 of Article 23 shall enter into force on 1 January 2026 (Journal of Journal of Laws of 2021, item 2269, of 2023 item 1681 and of 2024, item 1006 and 1853).

in point 4, subparagraph b or c, respectively, remains up to the value of the passenger car covered by this agreement;>

48) losses resulting from the loss or liquidation of cars and the costs of their post-accident repairs, if the cars were not covered by voluntary insurance;

49) expenses incurred for the purchase of gradually depreciating tangible assets of the enterprise, not classified as fixed assets in accordance with separate regulations – if it is determined that these assets are not used for business purposes, but serve the personal purposes of the taxpayer, employees or other persons, or are located outside the enterprise's registered office without justification;

50) penalty fees which, in accordance with separate regulations, are payable to the state budget or local government budgets;

51) costs of maintaining company social facilities, in the part covered by the company social benefits fund;

52) the value of allowances for business trips of persons conducting business activity and persons cooperating with them – in the part exceeding the amount of allowances due to employees, specified in separate regulations issued by the competent minister;

53) (repealed)

54) losses (costs) arising from the loss of prepayments (advances, deposits) in connection with the non-performance of a contract;

55) unpaid, unmade or unavailable payments, benefits and other receivables specified in Article 12(1) and (6), Article 13(2) and (4)-(9) and Article 18, cash benefits for graduate internships referred to in the Act of 17 July 2009 on graduate internships, cash benefits for student internships referred to in Article 121a of the Act of 14 December 2016 – Education Law, as well as cash benefits from social insurance paid by the employer, subject to Article 22(6ba);

55a) unpaid contributions to the Social Insurance Institution, subject to point 37 and Article 22(6bb), specified in the Act of 13 October 1998 on the social insurance system, in the part financed by the contribution payer;

55aa) unpaid contributions to employee capital plans referred to in the Act on Employee Capital Plans, in the part financed by the employer, subject to point 37a;

55b) due, paid, made or made available for payment, benefits and other receivables referred to in Article 12(1) and Article 13(2), (5) and (7)-(9) to a foreigner who, during the period of employment or personal activity in the territory of the Republic of Poland, did not hold a valid document required under separate regulations entitling them to stay in the territory of the Republic of Poland, as well as contributions on account of these receivables in the part financed by the contribution payer and cash benefits from social insurance paid by the employer to that foreigner;

55c) payments, benefits and other receivables paid, made or made available in connection with illegal employment within the meaning of Article 2(14)(a) of the Act of 20 March 2025 on the labour market and employment services, and remuneration paid to an employee in the part which the employer has not disclosed to the competent state authorities;

55d) contributions paid to the Social Insurance Institution referred to in Article 16(1e) of the Act of 13 October 1998 on the social insurance system;

56) expenses and costs directly financed from income (revenues) referred to in Article 21(1)(29b), (46), (47a), (47d), (116), (122), (129), (136) and (137);

57) contributions paid by the employer under insurance contracts concluded or renewed for the benefit of employees, with the exception of contracts relating to the risk referred to in Section I in groups 1, 3 and 5 and in Section II in groups 1 and 2 of the Annex to the Act of 11 September 2015 on insurance and reinsurance activities (Journal of Laws of 2024, item 838, 1565 and 1863), if the employer is not entitled to receive the benefit and the insurance contract, within 5 years from the end of the calendar year in which it was concluded or renewed, excludes:

a) the payment of the amount constituting the value of withdrawal from the contract,

b) the possibility of incurring liabilities under pledging rights arising from the agreement,

c) payment upon reaching the age specified in the agreement;

58) health insurance contributions, except for health insurance contributions paid in the tax year pursuant to the Act of 27 August 2004 on healthcare services financed from public funds (Journal of Laws of 2024, items 146, 858, 1222, 1593, 1615 and 1915):

a) for non-agricultural economic activity taxed in accordance with Article 30c,

b) for persons cooperating with a taxpayer taxed in the manner specified in Article 30c

– provided that the total amount of these contributions included in tax-deductible costs or deducted from income may not exceed *PLN 8,700,* [7)] in a tax year;

59) an additional fee imposed by the Social Insurance Institution on the basis of the provisions on the social insurance system;

60) (repealed)

61) expenses incurred and the value of items transferred, rights or services performed, resulting from activities that cannot be the subject of a legally effective contract, in particular in connection with the commission of an offence specified in Article 229 of the Act of 6 June 1997 – Criminal Code (Journal of Laws of 2024, item 17, 1228, 1907 and 1965);

62) tax on the extraction of certain minerals;

63) (repealed)

64) all types of fees and charges for the use or right to use the rights and values referred to in Article 22b(1)(4)-(7), acquired or produced by the taxpayer or a company that is not a legal person of which he is a partner, and then sold – in the part exceeding the income obtained by the taxpayer from their sale;

65) the tax referred to in Article 30g;

66) the solidarity levy referred to in Chapter 6a.

2. The receivables referred to in paragraph 1(20) shall be deemed to be those receivables whose uncollectibility has been documented:

[7)] The current amount shall be announced by way of a notice in the Official Journal of the Republic of Poland, Monitor Polski, by the minister responsible for public finance, in accordance with Article 30c(2c) of this Act.

1) a decision on uncollectibility, recognised by the creditor as corresponding to the actual state of affairs, issued by the competent enforcement authority, or

2) a court decision on:

   a) dismissal of a petition for bankruptcy, if the assets of the insolvent debtor are insufficient to cover the costs of the proceedings or are only sufficient to cover those costs, or

   b) the discontinuation of bankruptcy proceedings, if the circumstance referred to in referred to in point (a), or

   c) the termination of bankruptcy proceedings, or

3) a report prepared by the taxpayer stating that the anticipated litigation and enforcement costs associated with the recovery of the debt would be equal to or higher than its amount.

3. The uncollectibility of the debt, in the case specified in paragraph 1(21),

shall be deemed probable, in particular when:

1) the debtor has died, has been deleted from the Central Register and Information on Economic Activity, put into liquidation or declared bankrupt, or

2) restructuring proceedings have been opened or a petition for approval of an arrangement has been filed in proceedings for approval of an arrangement referred to in the Act of 15 May 2015 – Restructuring Law, or settlement proceedings have been initiated within the meaning of the provisions on financial restructuring of enterprises and banks, or

3) the claim has been adjudicated by a final court decision and referred to enforcement proceedings, or

4) the claim is contested by the debtor through legal action.

3a. (repealed)

3b. Where the fee, including rent, under a lease agreement referred to in Article 23a(1), a rental agreement, a tenancy agreement or another agreement of a similar nature has been calculated in a manner that includes the costs of operating a passenger car, the provision of paragraph 1(46a) shall apply to that part of the fee which covers the costs of operating a passenger car.

3c. The provision of paragraph 1(43)(c) shall apply accordingly in the event of a change in the right to reduce the amount of tax due by the amount of input tax referred to in the provisions of the Goods and Services Tax Act.

3d. The provision of paragraph 1(55a) shall apply accordingly, subject to paragraph 1(37) and Article 22(6bb), to contributions to the Labour Fund, the Solidarity Fund and the Guaranteed Employee Benefits Fund.

3e. The provision of paragraph 1(38), the sentence after the semicolon, shall not apply to the conversion of subfund participation units into participation units of another subfund of the same investment fund with separate subfunds, carried out on the basis of the Act of 27 May 2004 on investment funds and the management of alternative investment funds.

3f. Where a taxpayer has made a non-cash contribution to a company that is not a legal person, and the company that is not a legal person has been transformed into a company or taken over by a company, the expenses incurred for the acquisition or subscription of shares in the company shall be deemed to be the expenses incurred for the acquisition or production of the assets constituting the subject of such contribution, not included in tax-deductible costs in any form.

3g. Where shares, securities, units in capital funds and derivative financial instruments have been received by the taxpayer in connection with the liquidation of a company that is not a legal person, the withdrawal of a partner from such a company or a reduction in the capital share in such a company, the expenses referred to in paragraph 1(38) and (38a) shall be deemed to be the expenses incurred for their acquisition or subscription, not included in any form in the tax-deductible costs of the partner or company that is not a legal person, with Article 22(8a) applying accordingly.

4. Whenever paragraph 1 refers to the rate per kilometre of vehicle mileage, this shall be understood as the rate specified for passenger cars, taking into account the engine capacity, as appropriate.

5. The mileage of a vehicle, referred to in paragraph 1 point 36, should be documented, with the exception of a lump sum, in the vehicle mileage log confirmed by the taxpayer at the end of each month. The person using the vehicle is obliged to keep the vehicle mileage log. In the absence of such records, expenses incurred by the taxpayer for the use of cars for the taxpayer's needs do not constitute tax-deductible costs.

5a. The expenses incurred referred to in paragraph 1(46) and (46a) and the amount referred to in paragraph 1(47a) shall also include goods and services tax which, in accordance with the provisions on goods and services tax, does not constitute input tax, and input goods and services tax in the part in which, in accordance with the provisions on goods and services tax, the taxpayer is not entitled to a reduction in the amount or a refund of the difference in goods and services tax.

5b. The provision of paragraph 1(4) shall not apply to depreciation allowances for passenger cars if such cars have been made available by the taxpayer for use against payment on the basis of a lease agreement referred to in Article 23a(1), a rental agreement, a lease agreement or another agreement of a similar nature, and the transfer for use for consideration under such an agreement constitutes the taxpayer's business activity.

5c. In the case of a passenger car made available for use on the basis of a lease agreement referred to in Article 23a(1), the limitation referred to in paragraph 1(47a) shall apply to that part of the fee which constitutes repayment of the value of the passenger car.

5d. Where a rental, lease or other agreement of a similar nature has been concluded for a period of less than 6 months, the value of the car referred to in paragraph 1(47a) shall be understood as the value accepted for insurance purposes.

5e. In the case of a passenger car that is an electric vehicle within the meaning of Article 2(12) of the Act of 11 January 2018 on electromobility and alternative fuels, and in the case of a passenger car that is a hydrogen-powered vehicle within the meaning of Article 2(15) of that Act, the limit referred to in paragraph 1(47a) shall be PLN 225,000.

5f. If the taxpayer does not keep the records referred to in Article 86a(4) of the Goods and Services Tax Act, it shall be deemed that the passenger car is also used for purposes not related to the taxpayer's business activity.

5g. The provision of paragraph 5f shall not apply if the taxpayer is not required to keep such records under the provisions of the Goods and Services Tax Act, except where the absence of this obligation results from Article 86a(5)(2)(a) of the Goods and Services Tax Act.

5h. If it is established that the taxpayer, contrary to the facts, did not apply the restriction resulting from paragraph 1(46a), this provision shall apply from the date on which the taxpayer started using the passenger car in question.

6. The minister responsible for public finance shall specify, by way of a regulation, the maximum amount of payments made by entrepreneurs conducting business activity in the field of tourism, leisure, sport and recreation to the Polish Tourist Organisation, recognised as a tax-deductible expense.

7. The vehicle mileage record referred to in paragraph 5 shall contain at least the following data: surname, first name and address of the person using the vehicle, vehicle registration number and engine capacity, serial number of the entry, date and purpose of the trip, description of the route (from where to where), number of kilometres actually travelled, rate per 1 km of mileage, amount resulting from multiplying the number of kilometres actually travelled by the rate per 1 km of mileage, and the taxpayer's (employer's) signature and details.

8. The provision of paragraph 1(38b) shall apply only to the determination of income referred to referred to in Article 24(5)(1) and Article 30b(2)(1)-(4).

9. The provision of paragraph 1(45a)(a) shall not apply to fixed assets and intangible assets acquired by way of donation if the donor made depreciation write-offs on these assets. In this case, the provisions of Article 22g(12) and Article 22h(3) shall apply accordingly, and the provision of Article 22g(15) shall not apply.

10. The provision of paragraph 1(31) shall not apply to tax-deductible costs incurred in order to obtain revenue exempt under Article 21(1)(152)-(154).

Chapter 4a

Taxation of parties to a lease agreement

Article 23a. Whenever this chapter refers to:

1) a lease agreement – this shall be understood to mean an agreement referred to in the Civil Code, as well as any other agreement under which one of the parties, hereinafter referred to as

"financier" grants the other party, hereinafter referred to as the "beneficiary", the right to use or use and collect benefits for a fee

benefits on the terms specified in the Act to the other party, hereinafter referred to as

"user", depreciable fixed assets or intangible assets, as well as land and the right of perpetual usufruct of land;

2) basic term of the lease agreement – this shall be understood as the fixed term for which the agreement was concluded, excluding the period for which it may be

extended or shortened; in the event of a change of party or parties to this agreement, the basic term of the agreement shall be deemed to have been maintained if the other provisions of the agreement have not changed;

3) depreciation write-offs – this shall be understood to mean depreciation write-offs made exclusively in accordance with the provisions of Articles 22a–22m, taking into account Article 23;

4) standard depreciation period – this shall be understood to mean, with regard to:

   a) fixed assets – the period during which depreciation write-offs resulting from the application of depreciation rates specified in the List of Depreciation Rates equal the initial value of fixed assets,

   b) intangible assets – the period specified in Article 22m;

5) actual net value – this shall be understood as:

   a) the initial value of fixed assets or intangible assets revalued in accordance with separate regulations, less the sum of depreciation write-offs referred to in Article 22h(1)(1),

   b) the value referred to in Article 22ł(6);

6) hypothetical net value – this shall be understood as the initial value determined in accordance with Article 22g, less:

   a) depreciation write-offs calculated according to the rules specified in Article 22k(1), taking into account a coefficient of 3 – in relation to fixed assets,

   b) depreciation write-offs calculated using three times shorter depreciation periods referred to in point 4(b) – with regard to intangible assets;

7) repayment of the initial value – this shall be understood as the equivalent of the initial value of fixed assets or intangible assets, determined in accordance with Article 22g, actually received by the lessor in the fees specified in the lease agreement, during the basic term of the lease agreement; this repayment shall not be adjusted by the amount paid to the lessee referred to in Article 23d or Article 23h.

Art. 23b. 1. Fees specified in the lease agreement, incurred by the lessee during the basic term of the agreement for the use of fixed assets and intangible assets and legal rights constitute income for the lessor and, respectively, in the case referred to in point 1, a tax-deductible cost for the lessee, subject to paragraphs 2 and 3, if:

1) the lease agreement, where the user is not a person referred to in point 2, was concluded for a fixed term constituting at least 40% of the standard depreciation period, if the subject of the lease agreement are movable assets or intangible assets subject to depreciation write-offs, or it was concluded for a period of at least 5 years, if its subject matter is depreciable real estate;

2) a lease agreement, where the user is a natural person not engaged in economic activity, has been concluded for a fixed term;

3) the sum of the fees specified in the lease agreement referred to in point 1 or 2, less the applicable value added tax, corresponds to at least the initial value of the fixed assets or intangible assets and in the event that the financier concludes another lease agreement for a fixed asset or intangible asset that was previously the subject of such an agreement, it shall correspond to at least its market value on the date of conclusion of the next lease agreement; the provision of Article 19 shall apply accordingly.

2. If, on the date of concluding the lease agreement, the financier benefits from exemptions on income tax pursuant to:

1) Article 6 of the Corporate Income Tax Act,

2) the provisions on special economic zones,

3) *Articles 23 and 37 of the Act of 14 June 1991 on companies with foreign participation (Journal of Laws of 1997, item 143, of 1998, item 1063, and of 1999, items 484 and 1178)*[8)]

– the taxation rules set out in Articles 23f–23h apply to this agreement.

3. In the case of a financier that is a company without legal personality the restrictions referred to in paragraph 2 shall also apply to the partners of such companies.

Article 23c. If, after the expiry of the basic term of the lease agreement referred to in Article 23b(1), the lessor transfers to the lessee the ownership of the fixed assets or intangible assets that are the subject of that agreement:

1) the income from the sale of fixed assets or intangible assets and intangible assets shall be their value expressed in the price specified in the sales agreement;

[8]The Act ceased to be in force on 1 April 2002 pursuant to Article 80(2) of the Act of 1 March 2002 on changes in the organisation and functioning of central government administration bodies and subordinate units, and on amendments to certain acts (Journal of Laws, item 253), which entered into force on 1 April 2002.

however, if this price is lower than the hypothetical net value of fixed assets or intangible assets, this income shall be determined at market value in accordance with the rules set out in Article 19;

2) the tax-deductible cost when determining the income from the sale is the actual net value.

Art. 23d. 1. If, after the expiry of the basic term of the lease agreement referred to in Art. 23b(1), the lessor transfers to a third party the ownership of the fixed assets or intangible assets covered by that agreement and pays the lessee the agreed amount in respect of the repayment of their value – the provisions of Articles 14, 19, 22 and 23 shall apply when determining the revenue from the sale and the cost of obtaining it.

2. The amount paid to the user in the case specified in paragraph 1 shall constitute the financing party's tax-deductible cost on the date of payment up to the difference between the actual net value and the hypothetical net value.

3. The amount received by the beneficiary in the case specified in paragraph 1 shall constitute his income on the date of receipt.

Art. 23e. 1. If, after the expiry of the basic term of the lease agreement referred to in Art. 23b(1)(1), the lessor transfers to the lessee for further use the fixed assets or intangible assets that are the subject of that agreement, the lessor's income and, accordingly, the lessee's tax-deductible costs shall be the fees agreed by the parties to that agreement.

2. If, after the expiry of the basic term of the lease agreement referred to in Article 23b(1)(2), the lessor returns the fixed assets or intangible assets covered by that agreement to the lessee for further use, the lessor's income shall be the fees agreed by the parties to that agreement, even if they differ significantly from the market value.

Article 23f. 1. Up to the lessor's income , subject to paragraph 3, and, accordingly, the lessee's tax-deductible costs shall not include the fees referred to in Article 23b(1) in the part constituting the repayment of the initial value of fixed assets or intangible assets, if all of the following conditions are met:

1) the lease agreement was concluded for a fixed term;

2) the sum of the payments specified in the lease agreement, less the applicable value added tax, corresponds to at least the initial value of the fixed assets

or intangible assets, and in the case of the lessor concluding another lease agreement for a fixed asset or intangible asset that was previously the subject of such an agreement, it corresponds to at least its market value on the date of conclusion of the next lease agreement; the provision of Article 19 applies accordingly;

3) the agreement contains a provision that during the basic term of the lease agreement:

a) depreciation write-offs shall be made by the user, if he is not the person referred to in point (b), or

b) the financier waives the right to make depreciation write-offs in the case where the user is a natural person not conducting business activity.

2. If the amount of the repayment of the value of fixed assets or intangible assets attributable to individual payments is not specified in the lease agreement, it shall be determined in proportion to the duration of the agreement.

3. The lessor's revenue shall include the fees referred to in Article 23b(1) obtained from all lease agreements concluded by the lessor concerning the same fixed asset or intangible asset, in the part exceeding the repayment of the initial value determined in accordance with Article 22g.

Article 23g. 1. If the conditions referred to in Article 23f(1) are met and, after the expiry of the basic term of the lease agreement, the lessor transfers to the lessee the ownership of the fixed assets or intangible assets covered by that agreement:

1) the income from the sale of fixed assets or intangible assets shall be their value expressed in the price specified in the sales agreement, even if it differs significantly from their market value;

2) the costs incurred by the lessor for the acquisition or production of fixed assets or intangible assets covered by the lease agreement shall not be included in the tax-deductible costs; however, these costs shall be reduced by the repayment of the initial value referred to in Article 23a(7).

2. If the conditions referred to in Article 23f(1) are met and, after the expiry of the basic term of the lease agreement, the lessor transfers the fixed assets or intangible assets covered by the agreement to the lessee for further use, the lessor's income and, accordingly, the lessee's tax-deductible costs

the lessee's income shall be the fees agreed by the parties, even if they differ significantly from the market value.

Article 23h. 1. If the conditions referred to in Article 23f(1) are met and, after the expiry of the basic term of the lease agreement, the lessor transfers the ownership of the fixed assets or intangible assets covered by the agreement to a third party and pays the lessee an agreed amount in respect of the repayment of their value:

1) when determining the revenue from the sale, the provisions referred to in Articles 14 and 19 shall apply;

2) Tax-deductible costs do not include expenses incurred by the financier for the purchase or production of fixed assets or intangible assets that are the subject of the agreement; however, these expenses are deductible after deduction of the initial value referred to in Article 23a(7).

2. The amount paid to the user constitutes a tax-deductible cost for the financier and is income for the user on the date of receipt.

Article 23i. 1. If the subject of a fixed-term lease agreement is land or the right of perpetual usufruct of land, and the sum of the fees specified therein corresponds to at least the value of the land or the right of perpetual usufruct of land equal to the expenditure on their acquisition , the fees specified in this agreement, incurred by the lessee during the basic term of the agreement for the use of the subject of the agreement, in the part constituting the repayment of this value, shall not be included in the lessor's income and, accordingly, in the lessee's tax-deductible costs; the provision of Article 23f(2) shall apply accordingly.

2. If, after the expiry of the basic term of the lease agreement, the lessor transfers to the lessee or a third party the ownership of land or the right of perpetual usufruct of land covered by the agreement, or returns it to the lessee for further use, the provisions of Articles 23g and 23h shall apply accordingly to determine the revenues and tax-deductible costs of the parties to the agreement.

Article 23j. 1. If the lease agreement specifies the price at which the lessee has the right to purchase the subject of the agreement after the end of the basic term of the agreement, this price shall be included in the total fees referred to in Article 23b(1)(3) and Article 23f(1)(2).

2. The total amount of payments referred to in paragraph 1 shall not include:

1) payments to the lessor for additional services, provided that they are separate from the lease payments;

2) taxes for which the lessor is liable on account of ownership or possession of the fixed assets covered by the lease agreement, and insurance premiums for those fixed assets, if the lease agreement stipulates that the lessee shall bear the burden of those taxes and premiums independently of the fees for use;

3) the deposit specified in the lease agreement paid to the lessor by the lessee.

3. The deposit referred to in paragraph 2(3) shall not be included in the lessor's revenue and, accordingly, in the lessee's tax-deductible costs.

Art. 23k. 1. If the financier has transferred to a third party the receivables arising from the fees referred to in Art. 23b(1), and the ownership of the subject of the lease agreement has not been transferred to the third party:

1) the amounts paid by the third party for the transfer of the claims shall not be included in the financier's income;

2) the financing party's tax-deductible costs shall be the discount or remuneration paid to the third party discount or remuneration paid to the third party shall be considered a tax-deductible expense of the financier.

2. In the case referred to in paragraph 1, the fees paid by the lessee to a third party shall constitute the lessor's income on the due date.

Art**. 23l.** The provisions referred to in Art. 11, Article 22 and Article 23 shall apply to lease and tenancy agreements.

Chapter 4b

Transfer pricing

Section 1

General provisions

Art. 23m. 1. Whenever this chapter refers to:

1) transfer price – this means the financial result of conditions established or imposed as a result of existing relationships, including price, remuneration, financial result or financial indicator;

2) entity – this means a natural person, legal person or organisational unit without legal personality, and a foreign establishment;

3) unrelated entities – this means entities other than related entities related entities;

4) related entities – means:

a) entities, one of which exercises significant influence over at at least one other entity, or

b) entities over which significant influence is exercised by:

– the same other entity or

– the spouse, relative or relative by marriage up to the second degree of a natural person exercising significant influence over at least one entity, or

c) a company that is not a legal person and its partner, or

ca) a company referred to in Article 5a(28)(c) and its general partner, or cb) a company referred to in Article 5a(28)(e) and its partner, or

d) a taxpayer and its foreign establishment;

5) affiliations – this means the relationships referred to in point 4 between affiliated entities;

6) controlled transaction – means economic activities identified on the basis of the actual behaviour of the parties, including the allocation of income to a foreign establishment, the terms of which have been determined or imposed as a result of relationships;

7) advance pricing agreement – means an advance pricing agreement within the meaning of Article 81(1) of the Act of 16 October 2019 on the resolution of double taxation disputes and the conclusion of advance pricing agreements (Journal of Laws of 2023, item 948).

2. Exercising significant influence, as referred to in paragraph 1(4)(a) and (b), is understood as:

1) direct or indirect ownership of at least 25% of:

a) shares in capital or

b) voting rights in supervisory, decision-making or management bodies, or

c) shares or rights to participate in profits, losses or assets, or their expectations, including participation units and investment certificates, or

2) the actual ability of a natural person to influence key economic decisions made by a legal person or an organisational unit without legal personality, or

3) being married or related by blood or affinity up to the second degree.

3. Indirect ownership of a share or right referred to in paragraph 2(1) means a situation where one entity owns a share or right in another entity through one or more other entities, where the size of the indirectly owned share or right corresponds to:

1) the size of the share or right connecting any two entities among all entities taken into account when determining the indirect share or right – where all sizes of shares or rights connecting these entities are equal;

2) the lowest size of the share or right connecting the entities between which the size of the indirectly held share or right is determined – where the sizes of the shares or rights connecting these entities are different;

3) the sum of the size of indirectly held shares or rights – in the case where the entities between which the size of indirectly held shares or rights is determined are linked by more than one indirectly held share or right.

4. If there are relationships between entities that are not established or maintained for legitimate economic reasons, including those aimed at manipulating the ownership structure or creating circular ownership structures, the entities between which such relationships exist are considered to be related entities.

5. For the purposes of this chapter, the financial year of a company that is not a legal person shall be deemed to be its tax year.

Art. 23n. The provisions of this chapter shall not apply to controlled transactions and transactions other than controlled transactions in which the price or method of determining the price of the subject of such a transaction results from the provisions of statutes or normative acts issued on their basis.

Section 2

Market price principle

Art. 23o. 1. Related entities are required to determine transfer prices on terms that would be agreed between unrelated entities.

2. If, as a result of existing relationships, conditions are established or imposed that differ from those that would be agreed between unrelated entities, and as a result the taxpayer reports income lower (loss higher) than would be expected if such relationships did not exist, the tax authority shall determine the taxpayer's income (loss) of the taxpayer without taking into account the conditions resulting from these relationships.

3. When determining the amount of the taxpayer's income (loss) in the situation referred to in paragraph 2, the tax authority shall take into account the actual course and circumstances of the conclusion and execution of the controlled transaction and the behaviour of the parties to that transaction.

4. Where the tax authority considers that, in comparable circumstances, unrelated entities guided by economic rationality would not have entered into the controlled transaction or would have entered into a different transaction or performed a different activity, hereinafter referred to as the "appropriate transaction", taking into account:

1) conditions agreed between related entities,

2) the fact that the conditions agreed between related entities make it impossible to determine the transfer price at a level that would be agreed upon by unrelated entities guided by economic rationality, taking into account the options realistically available at the time of the transaction

– that authority determines the taxpayer's income (loss) without taking into account the controlled transaction and, where justified, determines the taxpayer's income (loss) from the transaction relevant to the controlled transaction.

5. The basis for applying paragraph 4 cannot be solely:

1) difficulty in verifying the transfer price by the tax authority or

2) the lack of comparable transactions between unrelated entities in comparable circumstances.

6. For the period covered by a prior pricing agreement, an investment agreement referred to in Article 20zs § 1 of the Tax Ordinance, or a tax agreement referred to in Article 20zb(2) of the Tax Ordinance, the tax authority shall not determine the tax liability (amount of loss) to the extent that the income (loss) reported by the taxpayer has been determined in accordance with that agreement.

Article 23p. 1. Transfer prices shall be verified using the method most appropriate in the circumstances, selected from among the following methods:

1) comparable uncontrolled price;

2) resale price;

3) cost plus;

4) net transaction margin;

5) profit sharing.

2. Where it is not possible to apply the methods referred to in paragraph 1, another method, including valuation techniques, most appropriate in the circumstances shall be used.

3. When selecting the method most appropriate in the circumstances, particular consideration shall be given to the terms agreed or imposed between the related entities, the availability of information necessary for the proper application of the method and the specific criteria for its application.

4. When determining the amount of income (loss), the tax authority shall apply the method adopted by the related entity, unless the application of a method other than that adopted by the related entity is more appropriate in the circumstances.

5. Where, pursuant to Article 23o(4), the tax authority:

1) disregards a controlled transaction – it shall refrain from applying the method;

2) replaces the controlled transaction with an appropriate transaction, it shall apply the method appropriate for the appropriate transaction.

Article 23q. A taxpayer may adjust transfer prices by changing the amount of revenue earned or costs incurred, provided that all of the following conditions are met:

1) in controlled transactions carried out by the taxpayer during the tax year the conditions that would be set by unrelated entities have been established;

2) there has been a change in significant circumstances affecting the conditions established during the tax year, or the actual costs incurred or revenues obtained transfer pricing are known, and ensuring their compliance with the conditions that would be established by unrelated entities requires an adjustment of transfer prices;

3) at the time of the adjustment, the taxpayer has a statement from the related entity or accounting evidence confirming that the entity has made a transfer pricing adjustment in the same amount as the taxpayer;

4) there is a legal basis for the exchange of tax information with the country in which the related entity referred to in point 3 has its place of residence, registered office or management.

5) (repealed)

Art. 23r. 1. In the case of controlled transactions constituting low value-added services, the tax authority shall refrain from determining the taxpayer's income (loss) in respect of the mark-up on the costs of those services if all of the following conditions are met:

1) the mark-up on the costs of these services has been determined using a method, referred to in Article 23p(1)(3) or (4), and amounts to:
   a) no more than 5% of the costs – in the case of the purchase of services,
   b) not less than 5% of the costs – in the case of the provision of services;
2) the service provider is not an entity having its place of residence, registered office or management in a territory or country applying harmful tax competition;
3) the service recipient has a calculation including the following information:
   a) the type and amount of costs included in the calculation,
   b) the method of application and justification for the choice of allocation keys for all related entities using the services,
   c) description of the transaction, including an analysis of functions, risks and assets.

2. The provision of paragraph 1 shall apply to the services listed in Annex 4 to the Act, which meet all of the following conditions:

1) they are of a nature that supports the economic activity of the service recipient;
2) they are not the main activity of the group of related entities;
3) the value of these services provided by the service provider to unrelated entities does not exceed 2% of the value of these services provided to related and unrelated entities;
4) they are not subject to further resale by the service recipient, with the exception of the transactions referred to in Article 23z(9).

Article 23s. 1. In the case of a controlled transaction concerning a loan, the tax authority shall refrain from determining the taxpayer's income (loss) in respect of the interest rate on that loan if all of the following conditions are met:

1) the annual interest rate on the loan as at the date of conclusion of the agreement is determined on the basis of the type of base interest rate and margin specified in the announcement of the minister responsible for public finance valid as at the date of conclusion of this agreement;
2) no fees other than interest are payable in connection with the granting or servicing of the loan, including commission or premiums;

   servicing the loan, including commissions or premiums;

3) the loan has been granted for a period not exceeding 5 years;

4) during the tax year, the total level of liabilities or receivables of the related entity in respect of loan capital with related entities, calculated separately for loans granted and loans taken out, does not exceed PLN 20,000,000 or the equivalent of this amount;

5) the lender is not an entity having its place of residence, registered office or management in a territory or country applying harmful tax competition. 1a. The date of conclusion of the loan agreement referred to in paragraph 1(1) shall also be deemed to be

the date of amendment of the loan agreement if such amendment concerns the interest rate on the loan.

2. Loan amounts expressed in a foreign currency shall be converted into zlotys at the average exchange rate announced by the National Bank of Poland on the last working day preceding the date of disbursement of the loan amount.

3. The provisions of paragraphs 1-2 shall apply accordingly to credit and bond issues.

4. The minister responsible for public finance shall announce at least once a year, by way of an announcement in the Official Journal of the Republic of Poland "Monitor Polski", the type of base interest rate and margin referred to in paragraph 1(1), taking into account the types of base interest rates used on the interbank financial market.

Article 23t. (repealed)

Art. 23u. The provisions of Art. 23o and Art. 23p shall apply accordingly to transactions, other than controlled transactions, with an entity having its place of residence, registered office or management in a territory or country applying harmful tax competition or a foreign establishment located in a territory or country applying harmful tax competition, taking into account the conditions that would be agreed between unrelated entities not having their place of residence, registered office or management in the territory or country applying harmful tax competition.

Article 23v. 1. The minister responsible for public finance shall specify, by way of the manner and procedure:

1) assessing the compliance of conditions established by related entities with conditions that would be established between unrelated entities, including criteria for comparing these conditions,

2) determining the amount of a taxpayer's income (loss) by way of estimation using the methods referred to in Article 23p(1)-(3), including determining

remuneration for the transfer of economically significant functions, assets or risk categories between related entities

3) (repealed)

– with a view to ensuring the correctness of transfer pricing verification carried out by taxpayers and tax authorities, and taking into account the guidelines of the Organisation for Economic Co-operation and Development on transfer pricing for multinational enterprises and tax administrations.

2. The minister responsible for public finance shall specify, by way of a regulation, a list of countries and territories engaging in harmful tax competition, taking into account the content of the findings in this regard made by the Organisation for Economic Co-operation and Development, the existence of a legal basis for the exchange of tax information between the Republic of Poland and a given country or territory, the timeliness of the fulfilment of the obligation to exchange tax information and the reliability, completeness and legibility of the tax information provided, as well as the actual characteristics of the tax system of a given country or territory that may lead to harmful tax competition.

Section 3

Transfer pricing documentation

Art. 23w. 1. Related entities are required to prepare local transfer pricing documentation in electronic form for the tax year by the end of the tenth month after the end of the tax year in order to demonstrate that transfer prices have been determined on terms that would be agreed between unrelated entities.

2. Local transfer pricing documentation is prepared for controlled transactions of a homogeneous nature whose value exceeds the following documentation thresholds in a tax year:

1) PLN 10,000,000 – in the case of a commodity transaction;

2) PLN 10,000,000 – in the case of financial transactions;

3) PLN 2,000,000 – in the case of service transactions;

4) PLN 2,000,000 – in the case of transactions other than those specified in points 1–3.

2a. In the case of controlled transactions with an entity having its place of residence, registered office or management in a territory or country applying harmful tax competition, or a foreign establishment located in a territory or country applying harmful tax competition, the documentation threshold is:

1) PLN 2,500,000 – in the case of a financial transaction;

2) PLN 500,000 – in the case of transactions other than financial transactions.

3. Documentation thresholds are set separately for:

1) each controlled transaction of a homogeneous nature, regardless of whether the controlled transaction is classified as a commodity, financial, service or other transaction;

2) the cost and revenue sides.

4. The value of a controlled transaction of a homogeneous nature referred to in paragraphs 2–3 is determined regardless of the number of accounting documents, payments made or received, and related entities with which the controlled transaction is concluded.

5. When assessing , or , a controlled transaction is of a homogeneous nature , the following are taken into account:

1) the uniformity of the controlled transaction in economic terms, and

2) comparability criteria specified in regulations issued pursuant to Article 23v(1)(1), and

3) the methods of transfer pricing verification referred to in Article 23p(1)-(3), and

4) other relevant circumstances of the controlled transaction.

Article 23x. 1. The value of a controlled transaction referred to in Article 23w(2) and (2a) shall correspond to:

1) the value of the capital – in the case of a loan, credit or deposit;

2) the nominal value – in the case of bond issues;

3) the guarantee amount – in the case of a surety or guarantee;

4) the value of allocated revenues or costs – in the case of allocation.
income (loss) to a foreign establishment;

4a) the total value of contributions made to a company without legal personality
– in the case of a partnership agreement;

5) the value appropriate for a given transaction controlled – in the case of other transactions.

2. The value of a controlled transaction referred to in Article 23w(2) and (2a) is determined on the basis of:

1) invoices received or issued for the tax year in question
or

2) contracts or other documents – if no invoice has been issued or in the case of financial transactions, or

3) payments received or transferred – if it is not possible to determine this value on the basis of points 1 and 2.

2a. The value of the controlled transaction referred to in Article 23w(2) and (2a) shall be reduced by the value added tax, except for the value added tax which, in accordance with the provisions on value added tax, does not constitute input tax, and the input value added tax, in the part in which, in accordance with the provisions on goods and services tax, the taxpayer is not entitled to a reduction in the amount or a refund of the difference in goods and services tax.

3. When determining the value of controlled transactions of a homogeneous nature referred to in paragraph 1, the value of controlled transactions referred to in Article 23z shall not be taken into account.

4. The value of a controlled transaction expressed in a foreign currency shall be converted into zlotys at the average exchange rate announced by the National Bank of Poland, valid on the last working day preceding the date of the economic operation or the conclusion of the contract.

Article 23y. (repealed)

Art. 23z. The obligation to prepare local transfer pricing documentation, referred to in Art. 23w(1), shall not apply to controlled transactions:

1) concluded exclusively by related entities having their place of residence, registered office or management board in the territory of the Republic of Poland in the tax year in which each of these related entities meets all of the following conditions:
   a) it does not benefit from the exemption referred to in Article 21(1)(63a) and (63b),
   b) they did not incur a tax loss;

1a) concluded exclusively:
   a) between foreign establishments of related entities located in the territory of the Republic of Poland, having their place of residence, registered office or management in a Member State of the European Union other than the Republic of Poland or in another country belonging to the European Economic Area,
   b) by a foreign establishment located in the territory of the Republic of Poland of an entity having its place of residence, registered office or management in

the territory of a Member State of the European Union other than the Republic of Poland or another country belonging to the European Economic Area with a related entity having its place of residence, registered office or management board in the territory of the Republic of Poland

– in the tax year in which the revenues or tax-deductible costs arising from such controlled transactions were attributed to a foreign establishment, provided that none of the related entities in respect of those revenues or costs attributed to the foreign establishment benefits from the exemptions referred to in Article 21(1)(63a) and (63b), and did not incur a tax loss;

2) covered by a prior pricing agreement, an investment agreement referred to in Article 20zs § 1 of the Tax Ordinance, or a tax agreement referred to in Article 20zb point 2 of the Tax Ordinance, for the period to which such agreement applies;

3) whose value in its entirety does not constitute revenue or a tax-deductible cost, excluding financial transactions, capital transactions and transactions relating to investments, fixed assets or intangible assets;

4) where the links result solely from links with the State Treasury or local government units or their associations;

5) where the price was determined by open tender pursuant to the Act of 11 September 2019 – Public Procurement Law (Journal of Laws of 2024, item 1320);

6) carried out between a group of agricultural producers entered in the register referred to in Article 9(1) of the Act of 15 September 2000 on agricultural producer groups and their associations and on amendments to other acts (Journal of Laws of 2023, item 1145) and its members, concerning the sale for consideration:

   a) to a group of agricultural producers of products or groups of products produced on the farms of the members of such a group,

   b) by an agricultural producer group to its members of goods used by a member for the production of products or groups of products referred to in point (a) and the provision of services related to that production;

7) implemented between a provisionally recognised group of fruit and vegetable producers or a recognised fruit and vegetable producer organisation operating

the Act of 19 December 2003 on the organisation of the fruit and vegetable markets and the hop market (Journal of Laws of 2023, item 1318), and its members, concerning the sale for consideration of:

a) to such a group or organisation of products or groups of products produced on the farms of members of such a group or organisation,

b) by such a group or organisation to its members of goods used by a member for the production of products or groups of products referred to in point (a) and the provision of services related to such production;

8) consisting in the attribution of income to a foreign establishment located in the territory of the Republic of Poland by taxpayers referred to in Article 3(2a), if the provisions of relevant international agreements to which the Republic of Poland is a party provide that such income may be taxed only in a country other than the Republic of Poland;

9) consisting solely in the settlement between related entities of expenses incurred for the benefit of an unrelated entity, if all of the following conditions are met:

a) no added value is created and the settlement is made without taking into account any margin or profit surcharge,

b) the settlement is not directly related to another controlled transaction,

c) the settlement took place immediately after payment was made to an unrelated entity,

d) the related entity is not an entity having its place of residence, registered office or management in a territory or country applying harmful tax competition

– whereby, in the case of applying the allocation key, the provision of Article 23r(1)(3) shall apply accordingly;

10) constituting low value-added services – if the conditions specified in Article 23r are met;

11) relating to loans, credits or bond issues – if the conditions specified in Article 23s are met.

Article 23za. 1. Taxpayers and companies that are not legal persons and which carry out

transactions other than controlled transactions with an entity having its place of residence, registered office or management in a territory or country applying harmful tax competition or a foreign establishment located in a territory or country applying harmful tax competition, if the value of such transaction for a tax year, and in the case of companies that are not legal persons – for the financial year, exceeds:

1) PLN 2,500,000 – in the case of a financial transaction,

2) PLN 500,000 – in the case of a transaction other than a financial transaction

– whereby the provisions of Article 23w(1) and (3)–(5), Article 23x, Article 23z(3) and (5)–(7), Article 23zc(1) 1 and Article 23zd shall apply accordingly.

1a. (repealed)

1b. (repealed)

2. The value of the transaction referred to in paragraph 1, expressed in a foreign currency, shall be converted into zlotys at the average exchange rate announced by the National Bank of Poland, valid on the last working day preceding the date of the economic operation or the conclusion of the contract.

Article 23zb. 1. Related entities whose financial statements are consolidated using the full or proportional method and which are required to prepare local transfer pricing documentation shall attach to this documentation group transfer pricing documentation prepared for the financial year, by the end of the twelfth month after the end of the tax year, if they belong to a group of related entities:

1) for which consolidated financial statements are prepared;

2) whose consolidated revenues exceeded PLN 200,000,000 or its equivalent in the previous financial year PLN 200,000,000 or its equivalent.

2. The amounts of revenue referred to in section 1(2), expressed in a foreign currency, shall be converted into PLN at the average exchange rate announced by the National Bank of Poland on the last working day of the reporting financial year preceding the financial year to which the group transfer pricing documentation relates.

3. Group transfer pricing documentation may be prepared by a related entity required to attach group transfer pricing documentation or another entity belonging to a group of related entities. Preparation of group transfer pricing documentation by another entity from the group

entities not exempts from liability for compliance of this documentation with Article 23zc(2).

4. Where the group transfer pricing documentation has been prepared in English, the tax authority may request that the group transfer pricing documentation be submitted in Polish within 30 days of the date of delivery of such request.

Article 23zc. 1. Local transfer pricing documentation shall contain the following elements:

1) description of the related entity;

2) description of the transaction, including an analysis of functions, risks and assets;

3) an analysis of transfer prices, including:

   a) an analysis of data from unrelated entities or transactions concluded with unrelated entities or between unrelated entities deemed comparable to the conditions established in controlled transactions, hereinafter referred to as a 'comparative analysis', or

   b) an analysis demonstrating the consistency of the terms on which the controlled transaction was concluded with the terms that would be agreed by unrelated entities, hereinafter referred to as "consistency analysis" – where it is not appropriate to prepare a comparative analysis in the light of the transfer pricing verification method used or where it is not possible to do so with due diligence;

4) financial information.

1a. In the case of transactions referred to in Article 23za(1), the local transfer pricing documentation shall also include an economic justification for the transaction, in particular a description of the expected economic benefits, including tax benefits.

2. Group transfer pricing documentation shall include the following elements concerning a group of companies within the meaning of Article 3 (1) point 44 of the Accounting Act:

1) description of this group;

2) description of significant intangible assets of this group;

3) description of significant financial transactions of this group;

4) financial and tax information on this group.

3. (repealed)

3a. In the case of:

1) controlled transactions concluded by related entities that are micro-entrepreneurs or small entrepreneurs within the meaning of Article 7(1)(1) and (2) of the Act of 6 March 2018 – Entrepreneurs Law,

2) transactions other than controlled transactions referred to in Article 23za(1) – local transfer pricing documentation may not include a comparative analysis or a compliance analysis.

3b. The provision of paragraph 3a(1) shall apply to an entrepreneur who, in the last tax year, met the conditions specified in Article 7(1)(1) or (2) of the Act of 6 March 2018 – Entrepreneurs Law.

4. The minister responsible for public finance shall specify, by way of a regulation, the detailed scope of elements of local transfer pricing documentation and group transfer pricing documentation, with a view to facilitating the preparation of correct transfer pricing documentation by taxpayers and taking into account the guidelines of the Organisation for Economic Co-operation and Development on transfer pricing for multinational enterprises and tax administrations.

Art. 23zd. The comparative analysis and compliance analysis shall be updated at least every three years, unless a change in the economic environment significantly affecting the analysis justifies an update in the year in which the change occurs.

Art. 23ze. 1. Related entities that are required to prepare local transfer pricing documentation or group transfer pricing documentation shall submit such documentation, at the request of the tax authorities, within 14 days of the date of delivery of such request.

2. In the case of the occurrence of circumstances indicating the likelihood of an understatement of the value of a controlled transaction or non-compliance with the conditions referred to in Article 23r(1) or Article 23s(1), the tax authority may request a taxpayer who is not a micro-entrepreneur within the meaning of Article 7(1)(1) of the Act of 6 March 2018 – Entrepreneurs Law, taking into account Article 23zc(3b), to prepare and submit local transfer pricing documentation not containing a comparative analysis or compliance analysis for controlled transactions indicated by the tax authority in the tax year, within 30 days from the date of delivery of such a request. The request shall indicate the circumstances

indicating the likelihood of undervaluation of the controlled transaction or failure to meet the conditions referred to in Article 23r(1) or Article 23s(1).

3. The tax authority may make the request referred to in paragraph 1 after the expiry of the deadline referred to in Article 23w(1) and, in the case of group transfer pricing documentation, after the expiry of the deadline referred to in Article 23zb(1).

4. The obligation referred to in paragraph 1 shall also apply to taxpayers and companies that are not legal persons referred to in Article 23za(1) in respect of the transactions specified in that provision. The provisions of paragraphs 2 and 3 shall apply accordingly.

Section 4

Information on transfer pricing Article

23zf. 1. Related entities:

1) required to prepare local transfer pricing documentation –
with respect to transactions covered by this obligation or

2) carrying out controlled transactions specified in Article 23z points 1–2 or 9–11

– submit to the head of the tax office competent for the taxpayer, by the end of the eleventh month after the end of the tax year, information on transfer prices for the tax year, prepared in accordance with the electronic document template published in the Public Information Bulletin on the website of the office serving the minister responsible for public finance.

1a. In the case of a company which is not a legal person information on transfer prices is submitted to the head of the tax office competent according to:

1) the place of business;

2) registered office – in the case of conducting business activity in more than one place;

3) the place of residence or registered office of one of the partners – in the case of it is not possible to determine the characteristics on the basis of points 1 and 2.

1b. Transfer pricing information shall be submitted by means of electronic communication in accordance with the provisions of the Tax Ordinance.

2. The transfer pricing information shall include:

1) an indication of the authority to which it is submitted, the purpose of submitting the information and the period for
for which it is submitted;

2) the entity's identification data;

3) general financial information about the entity;

4) information on related entities and controlled transactions;

5) information on the transfer and and methods their ;

6) additional information or explanations concerning the data or information referred to in points 2 to 5;

7) a statement by the entity that the local transfer pricing documentation has been prepared in accordance with the actual state of affairs and that the transfer prices covered by this documentation are determined on terms that would be agreed between unrelated entities.

2a. Transfer pricing information shall be prepared on the basis of:

1) local documentation transfer prices transfer – in the case of when the entity was required to prepare this documentation;

2) financial statements or other documents – in the case where the was not required to prepare this documentation.

2b. For the purposes of the declaration referred to in paragraph 2(7), where goods or rights, or other benefits in kind constituting income, are received free of charge or in part against payment, transfer prices shall be deemed to have been determined on terms that would have been agreed between unrelated entities, if such income was reported for tax purposes in accordance with the arm's length principle.

3. The obligation referred to in paragraph 1 shall also apply to taxpayers and companies that are not legal persons referred to in Article 23za(1) in respect of the transactions specified in that provision. The provision of paragraph 2 shall apply accordingly.

4. In the case of controlled transactions referred to in Article 23z(1)-(2) and (9)-(11), the transfer pricing information shall not include the information and statements referred to in paragraph 2(3) and (5)-(7).

5. The transfer pricing information shall be signed by:

1) a natural person – in the case of a related entity that is a natural person,

2) a person authorised by a foreign entrepreneur to represent them in a branch – in the case of a related entity that is a foreign entrepreneur with a branch operating in the territory of the Republic of Poland,

3) the head of the entity within the meaning of Article 3(1)(6) of the Accounting Act, and where the entity is managed by a multi-person body, by a designated member of that body

– whereby it is not permissible for this information to be signed by a proxy, except for a proxy who is a barrister, solicitor, tax adviser or certified auditor.

5a. The appointment of a person who is a member of a multi-person body to sign transfer pricing information does not release the other members of that body from liability for failure to submit this information.

6. Transfer pricing information is used to analyse the risk of understatement of taxable income in relation to transfer pricing and for other economic or statistical analyses.

7. (repealed)

8. The minister responsible for public finance shall specify, by way of a regulation, the detailed scope of data and information and the content of the statement contained in the transfer pricing information, together with explanations on how to prepare it, taking into account the need to ensure a proper analysis of the risk of understatement of taxable income in the area of transfer pricing and other economic or statistical analyses.

Chapter 5

Special rules for determining income

Art. 24. 1. For taxpayers who keep accounting books, income from business activity shall be deemed to be the income shown on the basis of correctly kept books, reduced by tax-free income and increased by expenses not constituting tax-deductible costs, previously included in tax-deductible costs.

2. For taxpayers who earn income from business activities and keep revenue and expense ledgers, income from business activities is the difference between revenue within the meaning of Article 14 and tax-deductible costs, increased by the difference between the final and initial inventory value of commercial goods, basic and auxiliary materials (raw materials), semi-finished products, work in progress, finished products, shortages and waste, if the value of the final inventory is higher than the value of the initial inventory, or reduced by the difference between the value of the initial and final inventory, if the value

the initial inventory is higher. Income from the sale of assets referred to in Article 14(2)(1), used for business purposes or specialised agricultural production, is the revenue from the sale of assets referred to in Article 14(2)(1)(b), and in other cases, the income or loss is the difference between the income from the sale and:

1) the initial value shown in the register of fixed assets and intangible assets, subject to point 2, increased by the sum of depreciation write-offs referred to in Article 22h(1)(1) made on those assets and values, or

2) the value resulting from the document confirming the acquisition of cooperative ownership rights to commercial premises or a share in such rights, the initial value of which for the purposes of depreciation write-offs was determined in accordance with Article 22g(10), increased by the sum of depreciation write-offs referred to in Article 22h(1)(1) made on that right or share in such a right.

2a. The income or loss within the scope of the activity referred to in the second sentence of paragraph 2, from the sale of a previously acquired passenger car being a fixed asset, shall be the difference between the income from the sale of that car and its initial value as shown in the register of fixed assets and intangible assets, in the part not exceeding the amounts referred to in Article 23(1)(4), after deducting from that value the sum of depreciation write-offs for the wear and tear of that car included in the tax-deductible costs.

2b. The provision of paragraph 2a shall not apply when determining the income (loss) from the sale of a passenger car if that car was previously given by the taxpayer for use against payment on the basis of a leasing agreement,
referred to in Article 23a(1), a lease, tenancy or other agreement
of a similar nature, and the transfer for use against payment on the basis of such an agreement constitutes the subject of the taxpayer's activity.

3. (repealed)

3a. In the event of the liquidation of a business or special agricultural production divisions, including those operated in the form of a company that is not a legal person, or the withdrawal of a partner from such a company, a list of assets shall be drawn up as at the date of liquidation of the business or special

agricultural production or on the date of withdrawal of a partner from such a company. The list shall contain at least the following data: serial number, description (name) of the asset, date of acquisition of the asset, amount of expenditure incurred for the acquisition of the asset and amount of expenditure incurred for the acquisition of the asset included in tax-deductible costs, initial value, depreciation method, the sum of depreciation write-offs and the amount of cash paid to partners due to their share in a company that is not a legal person as at the date of withdrawal or liquidation.

3b. Income from the sale of assets referred to in Article 14(2)(17)(a) is the difference between the income from the sale and the expenses incurred to acquire the assets sold, not classified as tax-deductible costs in any form.

3c. Income from the withdrawal of a partner from a company that is not a legal person in the case of receiving cash is the difference between the income from this title, determined in accordance with Article 14, and the expenses for the acquisition or subscription of shares in such a company, not included in any form in tax-deductible costs.

3d. Income from the sale of non-cash assets received by a partner in a company that is not a legal person on account of leaving such a company or on account of its liquidation is the difference between the income obtained from their sale and the expenses incurred for their acquisition or production, not included in any form in the tax-deductible costs of the partner or the company; the provisions of Article 22(8a) shall apply accordingly.

3e. The provisions of paragraphs 3c and 3d shall apply accordingly in the case of a departing partner receiving both cash and other assets from a company that is not a legal person.

3f. The list referred to in paragraph 3a shall also be drawn up on the date of transformation of an entrepreneur who is a natural person into a single-member capital company and on the date of reduction of the capital share in a company that is not a legal person.

3g. In the event of the transformation of a company that is not a legal person into a company or the acquisition of a company that is not a legal person by a company as a result of a merger, on the day preceding the date of transformation, and in the case of an acquisition, on the date of entry in the merger register, the company that is not a legal person shall be obliged to

draw up a list of the assets of its enterprise and close its books, if such a company keeps accounting books. This list should contain at least the following data:

1) serial number;
2) specification (name) of the asset;
3) indication of the type of transaction for the acquisition of the asset;
4) date of acquisition of the asset;
5) the amount of expenditure incurred for the acquisition of the asset;
6) the amount of expenditure incurred for the acquisition of the asset classified as tax-deductible costs;
7) the initial value of the asset;
8) the depreciation method;
9) the total amount of depreciation write-offs;
10) the value of the asset accepted for tax purposes – if the asset was acquired in a manner other than by purchase.

3h. In the cases referred to in paragraph 3g, the provision of Article 8(6) of the Corporate Income Tax Act shall apply accordingly.

3i. If a partner receives cash due to a reduction in their capital share in a company that is not a legal person, the partner's income is the difference between the income from this title, determined in accordance with Article 14, and the expenses incurred to acquire or obtain the right to participate in such a company in the proportion represented by the value of the reduction in the shareholder's capital share to the value of the capital share before the reduction.

3j. The provisions of paragraphs 3d and 3e shall apply accordingly to the income of a partner in a company that is not a legal person in the event of a reduction in the capital share in such a company.

4. Income (loss) from special types of agricultural production is the difference between the revenue from conducting these activities and the costs incurred, increased by the value of the increase in the livestock herd at the end of the tax year compared to the beginning of the year and decreased by the value of losses in the herd during the tax year. Income from special agricultural production, if the taxpayer does not keep the books referred to in Article 15, is determined using the estimated income standards for a specific area of crops or animal production unit, as specified in Annex 2.

4a. The estimated annual income standards referred to in paragraph 4 shall apply to the units of cultivated area or other units of production types specified in column 3 of Annex 2, except that in the case of:

1) crops in greenhouses and plastic tunnels – from 1 m^2 of total area calculated according to the internal length of the walls;
2) mushroom and mushroom spawn cultivation – 1 m^2 of the area occupied by such cultivation;
3) poultry hatcheries – from 1 chick obtained from hatching;
4) laboratory animals – from 1 animal sold – on the basis of contracts concluded for laboratory purposes, scientific research and experiments, analyses and tests carried out in laboratories, as well as technological process control;
5) breeding and rearing of animals listed under item 15(b–h) of Annex 2 – per 1 animal sold;
6) breeding of aquarium fish – per 1 dm^3 of aquarium volume, calculated according to the internal length of the edges.

4b. If the size of special agricultural production divisions exceeds the sizes specified in Annex 2, the income obtained in the tax year from the entire crop area or all production units shall be subject to taxation.

4c. If, during the annual production cycle, different crops are grown on the same area for which different income estimation standards are set, the income from each type of crop shall be calculated, subject to paragraph 4e, using the standard applicable to that crop, in proportion to the number of months in which that crop was grown, including the period of preparation for planting that crop.

4d. The provision of paragraph 4c shall also apply in the event of the commencement or cessation specialised agricultural production during the year.

4e. In unheated greenhouses, the annual standard shall apply regardless of the period and type of cultivation.

5. Income (revenue) from a share in the profits of legal persons is the income (revenue) actually obtained from that share, including:

1) income from the redemption of shares or from a reduction in their value;

1a) income from a reduction in a partner's capital share in a company referred to in Article 5a(28)(c)-(e), which occurs in a manner other than that specified in point 1;

1b) income from a partner's withdrawal from a company referred to in Article 5a(28)(c)-(e), which occurs in a manner other than that specified in point 1;

1c) income from a reduction in the share capital of a simple joint-stock company;

2) (repealed)

3) the value of assets received in connection with the liquidation of a legal person or company;

4) income allocated to increase in share capital , and in cooperatives – income allocated to increase the share fund and income constituting the equivalent of amounts transferred to this capital (fund) from other capitals (funds) of such a company or cooperative;

5) dividends from shares deposited by members of employee pension funds in quantitative accounts;

6) in the case of a merger or division of entities – cash surcharges received by the partners of the acquired entity, merged entities or divided entities;

7) in the case of a division of companies, if the assets acquired as a result of the division, and in the case of a division by spin-off, also the assets remaining in the company, do not constitute an organised part of the enterprise – the surplus of the issue value of shares allocated in the acquiring or newly established company over the costs of acquisition or subscription of shares in the divided company, calculated in accordance with Article 22(1f) or Article 23(1)(38), determined as at the day preceding the date of the division; if the division of the company takes place by way of spin-off, the tax-deductible cost is the value or amount of expenses incurred by a partner to subscribe for or acquire shares in the divided company, determined in such proportion as the value of the spun-off part of the divided company's assets remains with that partner to the value of the divided company's assets immediately before the division;

7a) in the case of a merger of companies or companies that are not legal persons, or a division of companies in cases other than those specified in point 7 – the surplus of the issue value of the shares of the acquiring or newly established company, allocated to a partner of the acquired or divided company, determined on the day preceding the date of the merger or division, over the expenses for the acquisition or subscription of shares in the acquired or divided company, calculated in accordance with Article 22(1f) or Article 23(1)(38), or shares in a company that is not a legal person; if the division of the company takes place by spinning off assets of the company constituting an organised part

the enterprise, the tax-deductible costs are the expenses incurred by the partner for the acquisition or purchase of shares in the divided company, determined in such proportion as the value of the organised part of the enterprise separated from the company's assets remains with that partner to the value of the divided company's assets immediately before the division;

7b) the market value of shares transferred to a partner by the acquiring company in the exchange of shares referred to in paragraph 8a, together with cash payment in excess of the market value of the shares received in exchange from the partner, determined as at the date of the exchange of shares;

8) the value of undistributed profits in the company and the value of profits transferred to capital other than share capital in the transformed company – in the case of transformation of a company into a company that is not a legal person; the income is determined as at the date of transformation;

9) interest on capital shares paid to a partner by a company referred to in Article 5a(28)(c)-(e);

10) interest on a loan granted to a legal person or company referred to in Article 5a(28)(c)-(e), if the payment of interest on such a loan or its amount depends on the legal person or company making a profit or on the amount of that profit (participating loan);

11) the payment referred to in paragraph 8a.

5a. The income from the transfer of shares deposited in the quantitative account of an employee pension fund member to the assets of that fund shall be the difference between the value of those shares on the date of transfer, valued in accordance with the rules for the valuation of pension fund assets, and the cost of acquisition of those shares.

5b. (repealed)

5c. (repealed)

5d. The income referred to in paragraph 5(1) is the surplus of revenue received in connection with the redemption over the costs of obtaining revenue calculated in accordance with Article 22(1f), (1g), 1ga, 1gb, 1gc, 1ł or 1t, or Article 23(1)(38) or (38c). Where the acquisition took place by way of inheritance or donation, the tax-deductible costs are the expenses incurred by the testator or donor for the acquisition of those shares.

5e. The income referred to in section 5(1a) or (1b) is the surplus of income received in connection with a reduction in the capital share in the company referred to

referred to in Article 5a(28)(c)-(e), or from withdrawal from such a company, over the costs income calculated in accordance with Article 22(1f) or Article 23(1)(38).

6. Income from the sale of items specified in Article 10(1)(8)(d), if the income from the sale does not constitute income from economic activity, is the difference between the income obtained from the sale of the items and the cost of their acquisition, reduced by the value of expenditure incurred during the period of ownership of the items.

7. The Minister responsible for matters public finance in consultation with the minister responsible for agriculture, starting from the 2002 tax year, shall announce by way of a regulation the estimation standards referred to in paragraph 4, amending them annually in line with the growth rate of agricultural commodity prices announced by the President of the Central Statistical Office in the Official Journal of the Republic of Poland, Monitor Polski.

8. In the case of a merger or division of companies referred to in section 5(7a), subject to sections 8da and 8db, the income (revenue) of a partner in the acquired or divided company is not subject to taxation at the time of the merger or division of companies; when determining the income from the sale of shares in the acquiring or newly established company, the partner shall determine the tax-deductible costs on the basis of:

1) Article 22(1f) – if the shares in the acquired or divided company were acquired in exchange for a non-cash contribution;
2) Article 23(1)(38) – if the shares in the acquired or divided company were acquired or taken up for a cash contribution;
3) the amount of expenditure on the acquisition or subscription of shares in the divided company, determined in accordance with points 1 or 2, in the proportion of the value of the separated part of the divided company's assets to the value of the divided company's assets immediately before the division; the remaining part of the amount of these expenses constitutes a tax-deductible cost of the sale of shares in companies divided by spin-off.

8a. If a company acquires shares in another company from a shareholder of that other company and, in exchange for the shares in that other company, transfers its own shares to that shareholder, or in exchange for the shares in that other company, transfers its own shares (shares) together with a cash payment not exceeding 10% of the nominal value of its own shares (stocks),

and in the absence of a nominal value – the market value of those shares, and if, as a result of the acquisition:

1) the acquiring company obtains an absolute majority of voting rights in the company whose shares are being acquired, or
2) the acquiring company, holding an absolute majority of voting rights in the company whose shares are being acquired, increases the number of shares in that company

– the value of shares transferred to a partner in that other company and the value of shares (shares) acquired by the company, provided that the entities participating in this transaction are subject to taxation on their total income in a Member State of the European Union or another country belonging to the European Economic Area, regardless of where it is earned (exchange of shares).

8b. The provision of paragraph 8a shall apply if all of the following conditions are met:

1) the acquiring company and the company whose shares are being acquired are entities listed in Annex 3 to the Act or are companies subject to income tax on their total income, regardless of where it is earned, in a country other than a Member State of the European Union belonging to the European Economic Area;
2) the partner is an income tax payer and the shares contributed by him/her constitute a non-cash contribution intended in whole or in part to increase the share capital of the acquiring company;
3) the shares contributed by the partner were not acquired or taken up as a result of a share exchange transaction or allocated as a result of a merger or division of entities;
4) the value of the shares acquired by the partner for tax purposes is not higher than the value of the shares contributed by that partner, which would be accepted for tax purposes if the share exchange had not taken place.

8c. The provision of paragraph 8a shall also apply where a company acquires shares from the same shareholder in more than one transaction carried out within a period not exceeding 6 months from the month in which the first acquisition took place, if the conditions specified in that provision are met as a result of those transactions.

8d. The provisions of paragraph 5(6)-(7a) and paragraph 8 shall also apply to income obtained from the companies listed in Annex 3 to the Act.

8da. The provision of paragraph 8 shall apply only if:

1) the company acquiring the assets and the company whose assets are being acquired are taxpayers referred to in Article 3(1) of the Corporate Income Tax Act;
2) the company acquiring the assets is a taxpayer referred to in Article 3(1) of the Corporate Income Tax Act, and the company whose assets are being acquired is subject to taxation in a Member State of the European Union other than the Republic of Poland or in another country belonging to the European Economic Area on its total income, regardless of where it is earned;
3) the company acquiring the assets is a taxpayer referred to in Article 3(2) of the Corporate Income Tax Act, subject to taxation in a Member State of the European Union or another country belonging to the European Economic Area on its total income, regardless of where it is earned, and the company whose assets are being acquired is a taxpayer referred to in Article 3(1) of the Corporate Income Tax Act.

8db. The provision of paragraph 8 shall not apply if:

1) the shares of a partner in the acquired or divided company were acquired or taken up as a result of an exchange of shares or allocated as a result of another merger or division of entities, or
2) the value of the shares allocated by the acquiring or newly established company, as accepted by that partner for tax purposes, is higher than the value of the shares in the acquired or divided company that would have been accepted by that partner for tax purposes if the merger or division had not taken place.

8dc. In the case referred to in section 8b(3) and (4) and section 8db, the burden of proof that the shares were not acquired or taken up as a result of a share exchange transaction or allocated as a result of a merger or division of entities, and that the value of the shares corresponds to the value specified in those provisions, rests with the shareholder.

8dd. In the case of a merger of a company that is not a legal person, referred to in paragraph 5(7a), the issue value of the shares allocated to a shareholder of that company which is not

The value of shares (stocks) in the acquiring or newly established company is reduced by the taxpayer's surplus of income over the costs of obtaining it from participation in that company which is not a legal person, calculated in accordance with Article 8, and shall be increased by payments made in respect of participation in a company that is not a legal person and expenses that do not constitute costs of obtaining revenue in respect of participation in that company that is not a legal person.

8e. (repealed)

9. (repealed)

10. If a taxpayer disposes of securities acquired at different prices for consideration and it is not possible to determine the acquisition price of the securities being disposed of, the income from such disposal shall be determined on the basis that each disposal relates to the securities acquired earliest. The rule referred to in the first sentence shall apply separately to each securities account.

11. If, as a result of the implementation of an incentive programme created by:

1) a joint-stock company from which the taxpayer receives benefits or other receivables on the grounds specified in Article 12 or Article 13,
2) a joint-stock company which is a parent company within the meaning of Article 3(1)(37) of the Accounting Act in relation to the company from which the taxpayer receives benefits and other receivables under Article 12 or Article 13

– the taxpayer actually acquires or purchases shares in that company or shares in a company which is its parent company, the income from this arises at the time of the sale of those shares.

11a. The income from the sale of the shares referred to in paragraph 11 is the difference between the income obtained from the sale of the shares and the costs of obtaining the income determined on the basis of Article 23(1)(38).

11b. The incentive programme referred to in paragraph 11 shall be understood as a remuneration system established on the basis of a resolution of the general meeting by:

1) a joint-stock company, for persons receiving benefits or other receivables from it from the titles specified in Article 12 or Article 13, or
2) a joint-stock company which is a parent entity within the meaning of Article 3(1)(37) of the Accounting Act in relation to a company from which persons entitled to receive benefits under this remuneration scheme receive benefits or other receivables under the titles specified in Article 12 or Article 13

– as a result of which persons entitled to receive benefits under this remuneration scheme, directly or as a result of the exercise of rights from derivative financial instruments or the exercise of rights from securities referred to in Article 3(1)(b) of the Act of 29 July 2005 on Trading in Financial Instruments, or the exercise of other property rights, acquire the right to actually take up or acquire shares in the company referred to in point 1 or 2.

12. (repealed)

12a. The provisions of paragraphs 11–11b shall apply to income obtained by eligible persons from the subscription or acquisition of shares in joint-stock companies whose registered office or management board is located in a Member State of the European Union, a country belonging to the European Economic Area or a country with which the Republic of Poland has concluded a double taxation agreement.

12b. The provisions of paragraphs 11–11b shall apply accordingly to income obtained by eligible persons from the subscription or acquisition of shares in a simple joint-stock company as a result of the implementation of an incentive scheme established by such a company.

13. Income from the sale of securities on the market regulated under short selling is determined on the date on which:

1) the seller returned the borrowed securities or was required to do so in accordance with the securities loan agreement – if the seller concluded such an agreement for the purposes of settlement;
2) the securities subject to short selling were recorded on the seller's securities account for the purposes of settlement, no later than on the settlement date – in other cases.

14. The income referred to in paragraph 13, earned in a tax year, is the difference between the total proceeds from the sale of securities and the expenses incurred to ensure the availability of securities for settlement purposes, including the purchase of returned securities in the case referred to in paragraph 13(1).

15. Income from investing insurance premiums in connection with an insurance contract concluded on the basis of the provisions on insurance and reinsurance in the case of insurance related to capital funds is the difference between the amount of the benefit paid and the sum of premiums paid to the insurance company, which were transferred to the capital fund.

15a. Income from investing insurance premiums in connection with a life or endowment insurance contract concluded on the basis of separate regulations, in which the insurance company's endowment benefit is:

1) determined on the basis of specific indices or other base values, or

2) equal to the insurance premium increased by a specified in the insurance contract insurance index

is the difference between the amount of the benefit paid and the premium paid to the insurance company.

15b. The provision of paragraph 15a(1) shall not apply to insurance contracts concluded on the basis of separate provisions, for which the technical rate referred to in the provisions on the accounting of insurance companies is used to determine the value of the reserve in the life insurance section.

16. Income derived from the conversion of shares in a consolidated company into shares in the consolidating company or rights to equivalent shares in the consolidated company into shares in the consolidating company, carried out pursuant to the Act of 7 September 2007 on the rules for the acquisition of shares from the State Treasury in the process of consolidation of companies in the electricity sector (Journal of Laws of 2021, item 116) is not subject to taxation at the time of conversion of shares or rights to equivalent shares. The income referred to in the first sentence, attributable to the conversion of shares in the consolidated company into shares in the consolidating company or the conversion of rights to equivalent shares in the consolidated company into shares in the consolidating company, is subject to taxation at the time of obtaining income from the sale of shares in the consolidating company received as a result of the conversion.

17. Income from the acquisition of shares in a capital company in exchange for a non-cash contribution in the form of know-how, in connection with the implementation of the objective of the Measure 3.1 The Innovative Economy Operational Programme "Initiating Innovative Activity" shall be determined, subject to paragraph 18, on the date on which 5 years have elapsed from the date of obtaining the revenue referred to in Article 17(1a), in the amount specified as at the date of obtaining the revenue.

18. In the event of the sale or termination of the legal existence of the shares referred to in paragraph 17 before the expiry of 5 years from the date of obtaining the income referred to in Article 17(1a), the income from the acquisition of these shares shall be determined on the date of their disposal or cessation of legal existence in the amount determined as at the date of obtaining the income.

19. The provisions of paragraphs 8 and 8a and Article 21(1)(109) shall not apply in cases where the main or one of the main objectives of a merger, division, exchange of shares or contribution in kind is to avoid or evade taxation.

20. If the merger, division, exchange of shares or contribution in kind was not carried out for legitimate economic reasons, for the purposes of paragraph 19, it shall be presumed that the main or one of the main purposes of these activities is to avoid or evade taxation.

21. Income from a harvest assistance agreement is revenue from that title without deducting the costs of obtaining it.

22. The provisions of paragraph 5(7a), paragraph 8 and paragraph 20 shall apply accordingly in the case of a merger of closed-end investment funds within the meaning of the Act of 27 May 2004 on investment funds and the management of alternative investment funds, except that the provision of paragraph shall not apply in cases where the main or one of the main objectives of such a merger is to avoid or evade taxation.

23. The provision of Article 21(1)(109) shall apply only where the company acquiring the assets is subject to taxation in a Member State of the European Union or another country belonging to the European Economic Area on its total income, regardless of where it is earned.

24. The income from the redemption by the issuer of the bonds referred to in Article 30a(1)(2a) is the difference between the amount obtained from the redemption of bonds together with benefits obtained for the last period before the redemption of these bonds and the expenses incurred for the subscription or purchase of these bonds on the primary or secondary market by the taxpayer or testator, whereby the interest paid by the taxpayer or his testator upon the subscription or acquisition of the bonds shall not constitute expenditure on the subscription or acquisition of the bonds, to the extent that such interest is not taxable or is exempt from tax.

Art. 24a. 1. Natural persons, inherited enterprises, civil law partnerships of natural persons, civil law partnerships of natural persons and inherited enterprises, general partnerships of natural persons and professional partnerships conducting business activity shall be required to keep a tax revenue and expense ledger, hereinafter referred to as "the book", subject to paragraphs 3, 5 and 5a, or accounting books, in accordance with separate regulations, in a manner ensuring the determination of income (losses), the basis

taxation and the amount of tax due for the tax year, including the reporting period, and include in the records of fixed assets and intangible assets the information necessary to calculate depreciation write-offs in accordance with the provisions of Articles 22a–22o.

1a. Taxpayers who are shipping entrepreneurs within the meaning of the Act of 24 August 2006 on tonnage tax and taxpayers who are shipbuilding entrepreneurs within the meaning of the Act of 6 July 2016 on the revitalisation of the shipbuilding industry and complementary industries, conducting activities subject to tonnage tax or flat-rate tax on the value of sold production, as well as other activities subject to income tax, are required to separate revenues and related costs for individual types of activities subject to tonnage tax or flat-rate tax on the value of sold production and income tax in the ledger or accounting books referred to in paragraph 1. separate revenues and related costs for individual types of activities subject to tonnage tax or flat-rate tax on the value of sold production and income tax, respectively.

1b. Taxpayers conducting research and development activities who intend to take advantage of the deduction referred to in Article 26e shall be required to separate the costs of research and development activities in the book or books of account referred to in paragraph 1.

1c. The enterprise in succession is obliged to make entries in the book or in the accounting books referred to in paragraph 1 concerning economic events that occurred from the opening of the succession until the date of the notification referred to in Article 12(1c) of the Act of 13 October 1995 on the rules for the registration and identification of taxpayers and payers, and if no notification has been made – until the date of establishment of the succession management.

1d. If the deceased entrepreneur kept records of fixed assets and intangible assets referred to in Article 22n, the enterprise in succession shall continue to keep such records.

1da. Taxpayers are required to keep records of invoices documenting revenues settled using the cash method referred to in Article 14c. These records shall include the date of issue of the invoice, the invoice number, the amount due under the invoice and the date of payment.

1db. The company , as the successor to , continues after , the deceased entrepreneur keeping records of invoices referred to in paragraph 1da.

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Paragraphs 1e and 1f added to Article 24a shall enter into force on 1 January 2026 (Journal of Laws of 2021, items 2105 and 2427,

<1e. Entities referred to in paragraph 1 and paragraph 2(2) and Article 15(2) which keep books, accounting books or records of fixed assets and intangible assets, shall be required to keep such books and records using computer software and to send such books and records to the competent head of the tax office after the end of the tax year, by the deadline for submitting the tax return referred to in Article 45(1) 1, by electronic means of communication, in an electronic form corresponding to the logical structure referred to in Article 193a

§ 2 of the Tax Ordinance, in accordance with the rules for sending tax books or parts thereof specified in the provisions issued on the basis of Article 193a § 3 of the Tax Ordinance.

1f. In the case of a company that is not a legal person, the book, accounting books or records of fixed assets and intangible assets shall be sent to the head of the tax office competent for the place of business, and in the case of business activity in more than one place – to the head of the tax office competent for the place of registered office. If it is not possible to determine the jurisdiction of the head of the tax office on the basis of the first sentence, the jurisdiction shall be determined according to the place of residence of one of the partners.

2. The obligation to keep a book also applies to persons:

1) persons conducting business activity on the basis of agency agreements and contracts of mandate concluded on the basis of separate regulations;
2) those conducting special agricultural production, if they have declared their intention to keep such books;
3) clergy, who have waived to the payment of the flat-rate income income tax.

3. The obligation to keep a book does not apply to persons who:

1) pay income tax in lump sums;
2) perform only passenger and freight transport services using horse-drawn vehicles;
3) practice law exclusively in a law firm;
4) sell assets for consideration:
   a) after the liquidation of a sole proprietorship,
   b) received in connection with the liquidation of a company that is not a legal person, withdrawal from such a company or reduction of capital share in such a company.

3a. (repealed)

3b. (repealed)

3c. (repealed)

4. The obligation to keep accounting books applies to natural persons, civil law partnerships of natural persons, general partnerships of natural persons and professional partnerships, if their revenues, within the meaning of Article 14, for the previous tax year amounted to at least the equivalent in Polish currency of the amount specified in euros in the accounting regulations.

4a. If, in the tax year in which the entrepreneur died, he kept accounting books, the inherited enterprise is obliged to keep these books until the end of that tax year.

4b. The inherited enterprise shall be obliged to keep accounting books in the tax year following the year in which the entrepreneur died if the deceased entrepreneur's revenues, within the meaning of Article 14, and the income of the inherited enterprise, within the meaning of Article 7a(4), for the previous tax year amounted in total, in Polish currency, to at least the equivalent of the amount specified in euros in the accounting regulations.

4c. In subsequent tax years, the inherited enterprise is required to keep accounting records if the income of the inherited enterprise, within the meaning of Article 7a(4), for the previous tax year amounted to at least the equivalent in Polish currency of the amount specified in euros in the accounting regulations.

4d. If, in the tax year in which a partner in a civil law partnership of natural persons died, the partnership kept accounting books, the civil law partnership of natural persons and the inherited enterprise shall be obliged to keep those books until the end of that tax year.

4e. A civil law partnership of natural persons and an enterprise in inheritance shall be obliged to keep accounting books in the tax year following the year in which a partner in a civil law partnership of natural persons died, if the revenues of the civil law partnership of natural persons natural persons and of the civil law partnership of natural persons and an enterprise in inheritance, within the meaning of Article 7a(4) 4 and Article 14, amounted in total in Polish currency to at least the equivalent of the amount specified in euros in the accounting regulations.

4f. In subsequent tax years tax the civil law of and and enterprises in succession are required to keep accounting records if their

its revenues, within the meaning of Article 7a(4) and Article 14, amounted to a total of PLN co at least the equivalent of the amount specified in euros in the accounting regulations.

5. A natural person, a civil law partnership of natural persons, a general partnership of natural persons or a professional partnership may also keep accounting books from the beginning of the next tax year if the revenues, within the meaning of Article 14, for the previous tax year are lower than the equivalent in Polish currency of the amount specified in euros in the accounting regulations. In this case, the taxpayer shall provide information on the keeping of accounting books in the tax return referred to in Article 45(1) or (1a)(2), submitted for the tax year in which they were kept. If the books were kept by a civil law partnership of natural persons, a general partnership of natural persons or a professional partnership, the information shall be submitted by all partners.

5a. The provision of (5) shall apply respectively in the case of an enterprise in succession and a civil law partnership of natural persons and an enterprise in succession.

6. The amounts expressed in euros referred to in paragraphs 4, 4b, 4c, 4e, 4f and 5 shall be converted into Polish currency at the average euro exchange rate announced by the National Bank of Poland on the first working day of October of the year preceding the tax year.

[7. The minister responsible for public finance shall specify, by way of a regulation, the manner of keeping the tax revenue and expense ledger, the detailed conditions to be met by the ledger, and the detailed scope of obligations related to its keeping, in order to enable the use of the ledger as evidence for determining the correct amount of tax liabilities.]

<7. The minister responsible for public finance shall specify, by way of a regulation, the detailed conditions to be met by the tax revenue and expense ledger, and the detailed scope of obligations related to its keeping, in order to enable the use of this ledger as evidence allowing the determination of tax liabilities in the correct amount.>

<8. The minister responsible for public finance may determine, by way of a regulation:

1) the scope of additional data to be included in the books and records to be submitted pursuant to paragraph 1e, and the manner of their presentation in those books and records.

The new wording of paragraph 7 and the added paragraph 8 in Article 24a shall enter into force on 1 January 2026 (Journal of Laws of 2021, items 2105 and 2427, 2022 item 1265, 1301, 1719 and 2180, of 2023 item 1059 and 1414, and from 2024 , items 1593 and 1685).

2) groups of entities exempt from the obligation to keep books, accounting records and records of fixed assets and intangible assets using computer software or to send books, accounting records in whole or in part, or records of fixed assets and intangible assets pursuant to paragraph 1e

– taking into account the need to ensure the correctness of taxpayers' settlements and the control of taxpayers' obligations by the tax authority, to identify areas where tax abuse occurs or is likely to occur, and the technical and organisational capabilities of taxpayers to keep books and records.>

Article 24b. 1. If it is not possible to determine income (loss) in the manner provided for in Articles 24 and 24a, income (loss) shall be determined by estimation.

2. In the case of taxpayers who are not taxpayers referred to in Article 3(1) and (3) and who are required to keep the books referred to in Article 24a, where it is not possible to determine income on the basis of those books, income shall be determined by estimation, using an income-to-revenue ratio of:

1) 5% – from wholesale or retail trade activities;

2) 10% – from construction or assembly activities or transport services

;

3) 60% – from intermediary activities, if the remuneration is specified in the form of a commission;

4) 80% – from activities in the field of legal services or expert appraisal;

5) 20% – from other sources of income.

3. Wholesale or retail trade activities referred to in paragraph 2(1), carried out in the territory of the Republic of Poland by taxpayers who are not taxpayers referred to in Article 3(1) and (3), shall be understood as the sale of goods to Polish customers for consideration, regardless of the place of conclusion of the contract.

4. The provisions of paragraphs 2 and 3 shall not apply if a double taxation agreement to which the Republic of Poland is a party, concluded with the country in which the taxpayer has its registered office or place of residence, provides otherwise.

Article 24ba. Taxpayers who are required to keep accounting books or records of fixed assets and intangible assets or a list of fixed assets and intangible assets, and who transfer assets referred to in Article 30da(2) 2 and Article 30dh(3), shall be required to separate these assets in their books, records or lists.

Art. 24c. 1. Exchange rate differences shall increase revenues as positive exchange rate differences or tax-deductible costs as negative exchange rate differences in the amount resulting from the difference between the values specified in paragraphs 2 and 3.

2. Positive exchange rate differences arise if the value of:

1) the revenue due expressed in a foreign currency after conversion into zlotys at the average exchange rate announced by the National Bank of Poland is lower than the value of that revenue on the date of its receipt, converted at the actual exchange rate applied on that date;
2) incurred costs expressed in a foreign currency, after conversion into zlotys at the average exchange rate announced by the National Bank of Poland, is higher than the value of those costs on the date of payment, converted at the actual exchange rate applied on that date;
3) the value of funds or monetary assets received or acquired in a foreign currency on the date of their receipt is lower than the value of those funds or monetary assets on the date of payment or other form of outflow of those funds or monetary assets, according to the actual exchange rate applied on those dates, subject to points 4 and 5;
4) a loan (borrowing) in a foreign currency on the date of its granting is lower than the value of that loan (borrowing) on the date of its repayment, converted at the actual exchange rate applied on those dates;
5) the value of a foreign currency loan (borrowing) on the date of its receipt is higher than the value of that loan (borrowing) on the date of its repayment, converted at the actual exchange rate applied on those dates.

3. Negative exchange rate differences arise if the value of:

1) the revenue due expressed in a foreign currency after conversion into zlotys at the average exchange rate announced by the National Bank of Poland is higher than the value of that revenue on the date of its receipt, converted at the actual exchange rate applied on that date;

2) incurred costs expressed in a foreign currency, after conversion into zlotys at the average exchange rate announced by the National Bank of Poland, is lower than the value of these costs on the date of payment, converted at the actual exchange rate applied on that date;

3) the funds or monetary values received or acquired in a foreign currency on the date of their receipt is higher than the value of those funds or monetary values on the date of payment or other form of outflow of those funds or monetary values, according to the actual exchange rate applied on those dates, subject to points 4 and 5;

4) a loan (borrowing) in a foreign currency on the date of its granting is higher than the value of that loan (borrowing) on the date of its repayment, converted at the actual exchange rate applied on those dates;

5) a loan (borrowing) in a foreign currency on the date of its receipt is lower than the value of that loan (borrowing) on the date of its repayment, converted at the actual exchange rate applied on those dates.

4. When calculating the exchange rate differences referred to in paragraphs 2 and 3, the exchange rates actually applied in the case of the sale or purchase of foreign currencies and the receipt of receivables or payment of liabilities shall be taken into account. In other cases, as well as when it is not possible to take into account the exchange rate actually applied on a given day for the receipt of receivables or payment of liabilities, the average exchange rate announced by the National Bank of Poland on the last working day preceding that day shall be used.

5. If the actual exchange rate referred to in paragraphs 2 and 3 is higher or lower than the average exchange rate announced by the National Bank of Poland on the last working day preceding the day of the actual exchange rate applied, increased or decreased by 5%, respectively, the tax authority may request the parties to the agreement to change this value or indicate the reasons justifying the use of the exchange rate. If the value is not changed or the reasons justifying the use of the actual exchange rate are not indicated, the tax authority shall determine this rate based on the exchange rates announced by the National Bank of Poland.

6. The average exchange rate announced by the National Bank of Poland referred to in paragraphs 2 and 3 shall be understood as the exchange rate on the last working day preceding the date of obtaining the revenue or incurring the cost.

7. The cost incurred referred to in paragraphs 2 and 3 shall be deemed to be the cost resulting from the invoice (bill) received or other evidence in the absence of an invoice (bill), and the date of payment referred to in paragraphs 2 and 3 shall be deemed to be the date of settlement of liabilities in any form, including as a result of set-off.

8. Taxpayers determine the order of valuation of funds or monetary values in foreign currency referred to in section 2(3) and section 3(3) according to the method adopted in accounting, which they may not change during the tax year.

9. The provisions of paragraph 2(4) and (5) and paragraph 3(4) and (5) shall apply accordingly to capital instalments of loans (borrowings).

10. The rules for determining exchange rate differences specified in paragraphs 1-9 shall apply to taxpayers conducting business activity or specialised agricultural production.

Article 24d. (repealed)

Art. 24e. 1. In the case of the acquisition of at least 100 receivables in a single transaction without separating the purchase price of individual receivables (receivables package), the income from the receivables package shall be the surplus of the revenue obtained from the receivables included in the receivables package over the cost of acquiring the receivables package.

2. The revenue obtained from the receivables included in the package of receivables shall be understood as the funds or values received as a result of the settlement of these receivables or the funds or values from the sale of all or part of the receivables included in a given package of receivables, with the exception of fees, interest, interest for late payment of liabilities and penalties accrued after the date of acquisition of the debt package.

3. The cost of acquiring a debt package shall be understood as the purchase price of such a debt package.

4. The acquisition costs of a debt package shall be deducted in the settlement period in which the income from the debts included in the debt package was generated, up to the amount corresponding to that income.

5. The provisions of paragraphs 1-4 shall apply accordingly to the acquisition of a single debt.

Article 25. (repealed)

Art. 25a. (repealed)

Chapter 5a

Taxation of income not covered by disclosed sources or derived from undisclosed sources

Art. 25b. 1. The revenues referred to in Art. 20(1b) shall be deemed to be revenue:

1) not covered by disclosed sources, including income from sources indicated by the taxpayer, disclosed in an incorrect amount,
2) from undisclosed sources, including income from sources not indicated by the taxpayer and not determined by the tax authority

– in an amount corresponding to the surplus of expenditure over taxable income (revenue) or non-taxable income (revenue) obtained before incurring that expenditure.

2. The value of property accumulated in the tax year or the amount of funds spent in the tax year shall be considered as expenditure if it is not possible to determine the tax year in which these funds were accumulated.

3. Taxable income is considered to be the value at the taxpayer's disposal before the expenditure was incurred, which meets all of the following conditions:

1) their origin has been determined in terms of title, amount and period of acquisition;
2) it is possible to determine or establish a tax liability in relation to the values that affect the determination of such a liability, or such a liability has been determined or established, or has been reported for taxation.

4. Revenues (income) not subject to taxation are considered to be values at the taxpayer's disposal prior to incurring an expense, the origin of which has been determined in terms of title, amount and period of acquisition, and which:

1) were tax-free or exempt from taxation under the provisions of an Act other than the provisions of this Chapter or the provisions of separate Acts, or
2) were not subject to taxation under the provisions of an act other than the provisions of this chapter or separate acts, or
3) were subject to tax liability in respect of the relevant tax, but the tax liability did not arise or expired as a result of:
   a) waiver of tax collection,

b) cancellation of tax arrears,

c) exemption from the obligation to pay tax,

d) the statute of limitations.

5. The provisions of Article 8(1)-(2) shall apply accordingly to taxable expenses, revenues (income) or non-taxable revenues (income).

Art. 25c. The tax liability on income not covered by disclosed sources or derived from undisclosed sources arises on the last day of the tax year in which the income arose, in an amount corresponding to the surplus of expenditure over taxable income (revenue) or non-taxable income (revenue).

Art. 25d. The tax base for income not covered by disclosed sources or derived from undisclosed sources shall be the income in the tax year corresponding to the amount of the surplus of expenditure over taxable income or non-taxable income. If there is more than one surplus in a tax year, the tax base shall be the sum of revenues corresponding to the amount of expenditure in excess of taxable revenues (income) or non-taxable revenues (income).

Art. 25e. From income not covered by disclosed sources or originating from undisclosed sources, subject to Art. 25g(7), the flat-rate income tax shall be 75% of the tax base.

Art. 25f. Tax on income not covered by disclosed sources or originating from undisclosed sources shall be determined, by way of a decision, for the tax year in which the income corresponding to the amount of the surplus or surpluses arose, by the competent tax authority.

Art. 25g. 1. In the course of tax proceedings or in the course of customs and , the burden of proof with regard to demonstrating taxable income or non-taxable income covering the expense shall rest with the taxpayer.

2. The provision of paragraph 1 shall not apply to taxable income or non-taxable income known to the authority ex officio or determinable by the authority on the basis of:

1) records, registers or other data held by it;

2) public registers held by other public entities to which the authority has electronic access on the terms specified in the provisions of the Act of 17 February 2005 on the computerisation of the activities of entities performing public tasks (Journal of Laws of 2024, items 1557 and 1717).

3. If, in the course of tax proceedings or customs and

-the taxpayer fails to prove that they have obtained taxable income or non-taxable income referred to in Article 25b(4)(3), which covers the expense, and the tax liability in relation to this income has become time-barred, the taxpayer may substantiate their receipt. If the income referred to in the first sentence is not proven or substantiated, such income shall be considered income referred to in Article 25b(1).

4. The provision of (3) shall apply (income)

referred to in Article 25b(4)(1) and (2).

5. In proceedings conducted in relation to income not covered by disclosed sources or originating from undisclosed sources, when determining the surplus of expenditure over taxable income or untaxed income, the taxpayer shall indicate taxable income (income) or untaxed income (revenue) with which he covers individual expenses. If the taxpayer has not indicated which taxable income or non-taxable income was used to cover individual expenses, the rule is that the earliest expense is covered by the earliest taxable income or non-taxable income.

6. If the taxpayer does not have evidence confirming the value of the property accumulated in the tax year, this value is determined on the date of incurring the expense, applying the provisions of Article 19 accordingly.

7. If, in the course of tax proceedings or customs and tax audits, the source of previously undisclosed revenues (income) and their amount are determined, such revenues (income) shall be subject to taxation in accordance with the rules laid down in provisions of the Act other than those of this Chapter or in separate acts.

Chapter 6

Basis for calculation and amount of tax

Art. 26. 1. The basis for calculating the tax, subject to Articles 29–30cb, Articles 30da–30dh, Articles 30e–30g and Articles 30j–30p, shall be the income determined in accordance with Articles 9, 23o, 23u, 24(1), (2), 3b–3e, 4–4e, 6 and 21 or Article 24b(1) and (2), after deducting the amounts:

1) (repealed)

2) contributions specified in the Act of 13 October 1998 on the social security system social insurance system:

   a) paid in the tax year directly for the taxpayer's own pension, disability, sickness and accident insurance and that of persons cooperating with him,

   b) deducted in the tax year by the payer from the taxpayer's funds, except that in the case of a taxpayer earning income specified in Article 12(6), only in the part calculated in the manner specified in Article 33(4) from taxable income

   – the deduction does not apply to contributions whose basis of assessment is income (revenue) exempt from tax under the Act, and contributions whose basis of assessment is income from which tax collection has been waived under the provisions of the Tax Ordinance;

2a) contributions paid in the tax year from the taxpayer's funds for compulsory social insurance of the taxpayer or persons cooperating with him, in accordance with the provisions on compulsory social insurance in force in a Member State of the European Union other than the Republic of Poland or in another country belonging to the European Economic Area or in the Swiss Confederation, subject to paragraphs 13a-13c;

2aa) (repealed)

2b) payments to an individual pension security account made by the taxpayer in the tax year , up to the amount specified in the provisions on individual pension security accounts;

2c) membership contributions paid to on behalf of trade unions , in an amount not exceeding PLN 840 in a tax year;

3) (repealed)

4) (repealed)

5) refunds of unduly collected benefits made in the tax year, which previously increased taxable income, in amounts taking into account the income tax collected, if these refunds were not deducted by the payer;

6) expenses for rehabilitation purposes and expenses related to facilitating the performance of daily activities, incurred in the tax year by a taxpayer who is a disabled person or a taxpayer who supports disabled persons;

6a) expenses incurred by the taxpayer for the use of the Internet,
in an amount not exceeding PLN 760 in a tax year;

7) (repealed)

8) (repealed)

9) donations made for the purposes

a) specified in Article 4 of the Act on Public Benefit Activity, to organisations referred to in Article 3(2) and (3) of that Act, or equivalent organisations specified in the provisions regulating public benefit activities in force in a Member State of the European Union other than the Republic of Poland or another country belonging to the European Economic Area, conducting public benefit activities in the sphere of public tasks, pursuing these objectives, subject to paragraph 6e,

b) religious worship,

c) blood donation carried out by honorary blood donors on the basis of the Act of 22 August 1997 on public blood services, in the amount of the product of the compensation specified in the provisions issued on the basis of Article 11(2) of this Act and the litres of donated blood or its components,

d) vocational education to public schools providing vocational education referred to in Article 4(28a) of the Act of 14 December 2016 – Education Law, and to public institutions and centres referred to in Article 2(4) of that Act,

e) as specified in Article 7(1) of the Act of 11 August 2021 on the preparation and implementation of investments in the reconstruction of the Saxon Palace, the Brühl Palace

and tenement houses on Królewska Street in Warsaw (Journal of Laws of 2024, item 578)

– in the amount of the donation made, but not more than the amount constituting 6% of income.

10) (repealed)

2. (repealed)

3. (repealed)

4. (repealed)

4a. (repealed)

4b. (repealed)

4c. (repealed)

5. The total amount of deductions specified in section 1(9) may not exceed 6% of income in a tax year, except that donations made to the following are not subject to deduction:

1) natural persons;

2) legal persons and organisational units without legal personality conducting business activities consisting in the manufacture of products of the electronics, fuel, tobacco, spirits, wine, beer industries, as well as other alcoholic products with an alcohol content of more than 1.5%, and products made of precious metals or containing such metals, or trade in these products.

6. If the donation consists of goods subject to value added tax, the value of the donation shall be deemed to be the value of the goods including value added tax, in the part exceeding the amount of input tax which the taxpayer is entitled to deduct in accordance with the provisions on value added tax in respect of making the donation. Article 19 shall apply accordingly when determining the value of such donations.

6a. (repealed)

6b. Taxpayers benefiting from the deduction of donations referred to in paragraph 1(9) and resulting from separate acts shall be required to indicate in the tax return referred to in Article 45(1) the amount of the donation made, the amount of the deduction made and the data allowing the identification of the recipient.

6c. In the event of a refund of a donation, the recipient shall be obliged to provide the tax office with information about the donation refunded to the taxpayer within one month of the date of the refund.

6d. The provision of paragraph 7 shall apply accordingly to donations deducted on the basis of separate acts.

6e. The right to deduct a donation referred to in paragraph 1(9)(a) a, to an organisation specified in the provisions regulating public benefit activities in force in a Member State of the European Union other than the Republic of Poland or another country belonging to the European Economic Area, conducting public benefit activities in the sphere of public tasks, shall be granted to the taxpayer provided that:

1) the taxpayer documents with a statement from that organisation that, on the date of the donation, it was an organisation equivalent to the organisations referred to in Article 3(2) and (3) of the Act on Public Benefit Activity, pursuing the objectives specified in Article 4 of the Act on Public Benefit Activity and conducting public benefit activities in the sphere of public tasks, and

2) there is a legal basis under a double taxation agreement or other ratified international agreements to which the Republic of Poland is a party for the tax authority to obtain tax information from the tax authority of the country in which the organisation has its registered office.

6ea. The deduction of donations referred to in paragraph 1(9)(d) shall apply where the donation consists of teaching materials or fixed assets, with the exception of teaching materials or fixed assets which are incomplete, unusable or older than 12 years.

6eb. The right to deduct the donation referred to in paragraph 1(9)(d) shall be granted to taxpayers who derive income from the source referred to in Article 10(1)(3).

6f. The deduction of donations referred to in paragraph 1(9) shall not apply if the taxpayer has included the value of the donation in tax-deductible costs pursuant to Article 23(1)(11).

6g. The deduction referred to in paragraph 1(2b) and (2c) shall be made in the tax return.

6h. The deduction referred to in section 1(6a) shall be available to the taxpayer only in two consecutive tax years if he did not use this deduction in the period preceding those years.

7. The amount of expenditure for the purposes specified in paragraph 1, subject to paragraph 7c, shall be determined on the basis of:

1) proof of payment to the recipient's payment account or bank account, other than a payment account – in the case of a cash donation;

2) proof containing the donor's identification details and the value of the donation, together with a statement from the recipient confirming its acceptance – in the case of donations other than monetary donations or other than those specified in section 1(9)(c);

3) a certificate from the organisational unit performing blood collection tasks on the amount of blood or blood components donated free of charge by the donor;

4) a document confirming their incurrence, containing in particular: data identifying the buyer (recipient of the service or goods) and the seller (goods or service), the type of goods or services purchased and the amount of payment – in cases other than those listed in points 1–3;

5) proof of payment of membership fees to a trade union, showing at least: the details identifying the trade union member making the payment, the name of the trade union organisation to which the payment was made, the title and date of the payment and the amount of the fees paid, and in the case of contributions deducted by the employer – on the basis of the information referred to in Article 39(1).

7a. The expenses referred to in paragraph 1(6) shall be deemed to be expenses incurred for:

1) adapting and equipping flats and residential buildings in accordance with needs resulting from disability;

2) adaptation of vehicles mechanical to the needs resulting from disability;

2a) purchase, repair or rental of medical devices listed in the list of medical devices specified in the regulations issued on the basis of Article 38(4) of the Act of 12 May 2011 on the reimbursement of medicines, foodstuffs for special nutritional purposes and medical devices (Journal of Laws of 2024, item 930) and equipment enabling their use in accordance with their intended purpose, with the exception of nappies, anatomical nappies, absorbent underwear, pads and anatomical inserts;

3) purchase, repair or rental of individual equipment, devices and tools necessary for rehabilitation and facilitating the performance of daily activities, according to the needs resulting from disability, and equipment enabling their use in accordance with the intended

use, not listed in the list referred to in point 2a, with the exception of household appliances;

3a) nappies, anatomical nappies, absorbent underwear, pads, anatomical inserts , in an amount not exceeding PLN 2,280 per tax year;

4) purchase of publications and training materials (aids), as appropriate to the needs arising from disability;

5) payment for a stay at a rehabilitation centre;

6) payment for stays at health resorts, medical rehabilitation centres, care and treatment centres, and nursing and care centres;

6a) payment for the stay of a carer of a disabled person classified as having a Group I disability or disabled children under 16 years of age, staying with a disabled person at a rehabilitation centre, health resort or medical rehabilitation facility;

6b) payment for rehabilitation or therapeutic rehabilitation treatments;

7) payment for guides for blind persons classified as having a Group I or II disability and persons with a motor disability classified as having a Group I disability, in an amount not exceeding PLN 2,280 per tax year;

8) maintenance of an assistance dog, as referred to in the Act on Vocational Rehabilitation, in an amount not exceeding PLN 2,280 per tax year;

9) home nursing care for a disabled person during a period of chronic illness preventing movement and care services provided to persons with disabilities classified as having a Group I disability;

10) payment for a sign language interpreter;

11) holiday camps for disabled children and young people and children of disabled persons under 25 years of age;

12) medicines referred to in the Act of 6 September 2001 – Pharmaceutical Law (Journal of Laws of 2024, item 686) – in the amount constituting the difference between the actual expenses incurred in a given month and the amount of PLN 100, if a specialist doctor determines that a disabled person should use these medicines permanently or temporarily;

13) paid transport:

a) a disabled person – by ambulance,

b) a disabled person classified as having a Group I or II disability, and disabled children under 16 years of age – also by means of transport other than those listed in point (a);

14) use of a passenger car owned (co-owned) by a disabled person or a taxpayer supporting a disabled person or a disabled child under 16 years of age – in an amount not exceeding PLN 2,280 per tax year;

15) paid travel by public transport related to a stay:

a) a rehabilitation stay,

b) at the facilities referred to in point 6,

c) at summer camps and camps for children and young people referred to in point 11,

d) a carer of a disabled person classified as having a Group I disability or disabled children under 16 years of age, staying with a disabled person at a rehabilitation stay or in a spa treatment facility or medical rehabilitation facility.

7b. The expenses referred to in paragraph 7a are deductible from income if they have not been financed (co-financed) from the company rehabilitation fund for disabled persons, the company activity fund, the State Fund for Rehabilitation of Disabled Persons or the National Health Fund, the company social benefits fund, or have not been reimbursed to the taxpayer in any form. Where the expenditure was partially financed (co-financed) from these funds (resources), the difference between the expenditure incurred and the amount financed (co-financed) from these funds (resources) or reimbursed in any form shall be deductible.

7c. In the case of expenses referred to in section 7a(7), (8) and (14), it is not necessary to have documents confirming their amount. However, at the request of the tax authorities, the taxpayer is obliged to provide evidence necessary to establish the right to deduction, in particular:

1) indicate the name and surname of the person who was paid in connection with performing as a guide;

2) present a certificate confirming the status of an assistance dog.

3) (repealed)

7d. The condition for deducting the expenses referred to in paragraph 7a is that the person to whom the expense relates:

1) decisions on classification by adjudicating authorities into one of three degrees of disability, as defined in separate regulations, or

2) a decision granting a pension for total or partial incapacity for work, a training pension or a social pension, or

3) a decision on the disability of a person under 16 years of age, issued on the basis of separate regulations.

7e. The provisions of paragraphs 7a–7d and 7g shall apply accordingly to taxpayers who support the following disabled persons during the tax year: a person who, in relation to the taxpayer or his or her spouse, is classified in tax group I within the meaning of the provisions of the Act of 28 July 1983 on inheritance and gift tax, or a child taken in for upbringing by the taxpayer or his or her spouse, provided that the income of these disabled persons obtained in the tax year does not exceed twelve times the amount of the social pension specified in the Act of 27 June 2003 on social pensions, in the amount applicable in December of the tax year. The income referred to in the first sentence does not include child support referred to in Article 6(4c), taking into account Article 6(4e), the supplementary benefit referred to in Article 21(1)(100a), the energy allowance referred to in Article 5c of the Act of 10 April 1997 – Energy Law, the protective allowance referred to in Article 2(1) of the Act of 17 December 2021 on the protective allowance (Journal of Laws of 2024, item 953), the coal allowance referred to in Article 2(1) of the Act of 5 August 2022 on the coal allowance (Journal of Laws of 2024, item 1207), the allowance for households for the use of certain heat sources and the allowance for certain entities other than households for the use of certain heat sources, referred to in Article 1(2) and (3) of the Act of 15 September 2022 on special solutions for certain heat sources in connection with the situation on the fuel market (Journal of Laws of 2024, item 1509), the electricity allowance referred to in Article 27 of the Act of 7 October 2022 on-general solutions for the protection of electricity consumers in 2023 and 2024 in connection with the situation on the electricity market (Journal of Laws of 2024, items 1288 and 1831), refund of the amount corresponding to the VAT referred to in Article 18 of the Act of 15 December 2022 on special protection for certain gas fuel consumers in 2023 and 2024 in connection with the situation on the gas market (Journal of Laws of 2024, items 303, 834, 859 and 1635), the energy voucher referred to in Article 2 of the Act of 23 May 2024 on the energy voucher and on amendments

certain laws in order to limit the prices of electricity, natural gas and district heating (Journal of Laws, items 859 and 1831, and item 290 of 2025), the heating voucher referred to in the Act of 12 September 2025 on the heating voucher and amending certain acts in order to limit electricity prices (Journal of Laws, item 1302), and granted on the basis of separate provisions, nursing allowance, additional annual cash benefit for pensioners and another additional annual cash benefit for pensioners.

7f. Whenever the provisions of paragraph 7a refer to persons classified as:

1) disability group I, this shall be understood to mean, respectively, persons in relation to whom who, on the basis of separate regulations, have been certified as:

a) total incapacity to work and incapacity to independent existence or

aa) inability to live independently, or

b) significant degree of disability;

2) Group II disability – this should be understood to mean, respectively, persons in relation to who, on the basis of separate regulations, have been certified as having:

a) total incapacity for work or

b) moderate degree of disability.

7g. The deduction referred to in paragraph 1(6) may also be made in the case when the person to whom concerned the expenditure has a disability certificate of disability issued by the competent authority on the basis of separate regulations in force until 31 August 1997.

7h. The amount referred to in paragraph 1(5) exceeding the amount of income referred to in paragraph 1, may be deducted from the income obtained in the next 5 consecutive tax years.

8. (repealed)

9. (repealed)

10. (repealed)

11. (repealed)

12. (repealed)

13. (repealed)

13a. Expenditure for the purposes specified in paragraph 1 shall be deductible from income if it has not been included in tax-deductible costs or has not been deducted from income taxed in accordance with the rules specified in Article 30c or has not been

deducted from income under the Act on Flat-Rate Income Tax or have not been refunded to the taxpayer in any form.

13b. The deduction referred to in paragraph 1(2a) shall not apply to contributions:

1) whose basis of assessment is income (revenue) exempt from tax under double taxation agreements to which the Republic of Poland is a party;
2) deducted in a Member State of the European Union other than the Republic of Poland or in another country belonging to the European Economic Area or in the Swiss Confederation from income (revenue) or tax earned in that country.

13c. The deduction referred to in paragraph 1(2a) shall apply provided that there is a legal basis under a double taxation agreement or other ratified international agreements to which the Republic of Poland is a party for the tax authority to obtain tax information from the tax authority of the country in which the taxpayer paid compulsory social security contributions.

14. (repealed)

15. Expenses for the purposes specified in paragraph 1 shall not be deductible from the income of the enterprise in succession.

Article 26a. (repealed)

Article 26b. (repealed)

Article 26c. (repealed)

Article 26d. (no longer in

force)

Art. 26e. 1. A taxpayer deriving income from the source specified in Art. 10(1)(3) shall deduct from the tax base, determined in accordance with Art. 26(1) or Art. 30c(2), the costs of obtaining income incurred for research and development activities

, hereinafter referred to as "eligible costs". The amount of the deduction may not exceed the amount of income obtained by the taxpayer from the source specified in Article 10(1)(3) in a given tax year.

2. The following shall be considered eligible costs:

1) payables incurred in a given month for the reasons referred to in Article 12(1) and financed by the payer of contributions for these payables specified in the Act of 13 October 1998 on the social insurance system

, in the proportion in which the time devoted to research and development activities remains within the employee's total working time in a given month;

1a) receivables incurred in a given month for the reasons referred to in Article 13(8)(a) and (c), and financed by the payer of contributions on account of these receivables specified in the Act of 13 October 1998 on the social insurance system, in the part in which the time allocated for the performance of research and development services remains in its entirety the time allocated for the performance of services under a contract of mandate or a contract for specific work in a given month;

2) the purchase of materials and raw materials directly related to the research and development activities carried out;

2a) the purchase of specialist equipment that is not a fixed asset and is used directly in the research and development activities, in particular laboratory vessels and utensils as well as measuring devices;

3) expert opinions, advisory services and equivalent services provided or performed on the basis of a contract by entities referred to in Article 7(1)(1), (2) and (4)-(8) of the Act of 20 July 2018 – Law on Higher Education and Science, as well as the acquisition from such an entity of the results of its scientific research for the purposes of research and development activities;

4) the paid use of scientific and research equipment used exclusively in research and development activities, if such use results from a contract concluded with an entity related to the taxpayer within the meaning of Article 23m(1)(4);

4a) the purchase of services involving the use of scientific and research equipment solely for the purposes of conducting research and development activities, if the purchase of such services does not result from an agreement concluded with an entity related to the taxpayer within the meaning of Article 23m(1)(4);

5) costs of obtaining and maintaining a patent, protection right for a utility model, rights from the registration of an industrial design, incurred for:

a) the preparation of application documentation and the submission of an application to the Patent Office of the Republic of Poland or the relevant foreign authority, including the costs of required translations into a foreign language,

b) conducting proceedings by the Patent Office of the Republic of Poland or the relevant foreign authority, incurred from the moment of filing the application with these authorities, in particular official fees and costs of legal and procedural representation,

c) refuting allegations of failure to meet the conditions required to obtain a patent, protection rights for a utility model or industrial design registration rights, both during and after the application proceedings, in particular the costs of legal representation and litigation, both at the Patent Office of the Republic of Poland, and at the relevant foreign authority,

d) periodic fees, renewal fees, translations and other activities necessary to grant or maintain the validity of a patent, protection rights for a utility model and rights from the registration of an industrial design, in particular the costs of validating a European patent.

2a. In the case of intangible assets in the form of development costs referred to in Article 22b(2)(2), depreciation write-offs made on such intangible assets shall be considered eligible costs in proportion to the costs listed in paragraph 2(1)–4a or paragraph 3a(2).

3. Depreciation write-offs on fixed assets and intangible assets used in research and development activities, excluding passenger cars and structures, buildings and premises that are separate property, made in a given tax year and classified as tax-deductible costs, shall also be considered eligible costs.

3a. In the case of taxpayers holding the status of a research and development centre referred to in Article 17 of the Act of 30 May 2008 on certain forms of support for innovative activity (Journal of Laws of 2022, item 2474), in addition to the costs listed in paragraphs 2–3, the following shall also be considered eligible costs:

1) depreciation write-offs on structures, buildings and premises that are separate property used in research and development activities, made in a given tax year and classified as tax-deductible costs

-development activities;

2) costs of expert opinions, advisory services and equivalent services, research performed on the basis of a contract, technical knowledge and patents or licences for protected inventions, obtained from entities other than those listed in paragraph 2(3) on market terms and used exclusively for the purposes of research and development activities.

3b. In the case referred to in paragraph 3a(1), if only part of the building, building or premises is used in research and development activities , depreciation write-offs in the amount determined from the initial value of the structure, building or premises corresponding to the ratio of the usable area used in the research and development activity to the total usable area of that structure, building or premises shall be considered eligible costs.

3c. The amount of eligible costs referred to in paragraph 3a may not exceed 10% of the taxpayer's revenue referred to in paragraph 3a, earned in the tax year from the source specified in Article 10(1)(3).

3d. In the case of taxpayers referred to in paragraph 3a who are micro, small or medium-sized entrepreneurs within the meaning of the provisions of the Act of 6 March 2018 – Entrepreneurs Law, the deduction of eligible costs specified in paragraph 3a and 100% of the costs specified in paragraph 2 points 2–5, paragraphs 2a and 3, while in the case of other taxpayers referred to in paragraph 3a, the deduction of eligible costs specified in paragraph 3a and 100% of the costs specified in paragraph 2 points 2–4a, paragraphs 2a and 3:

1) is made in accordance with Article 5 (1) of Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ EU L 187 of 26 June 2014, p. 1, as amended [9)]), referred to as hereinafter "Regulation No 651/2014", in the form and under the conditions referred to in Article 5(2)(d) of Regulation No 651/2014;
2) constitutes aid referred to in Article 25 or Article 28 of Regulation No 651/2014;
3) subject to accumulation on terms specified in Article 8 of Regulation No 651/2014.

3e. In the case of taxpayers referred to in paragraph 3a, the deduction:

[9)] Amendments to the aforementioned Regulation were published in OJ EU L 329 of 15.12.2015, p. 28, OJ EU L 149 of 07.06.2016, p. 10, OJ EU L 156 of 20.06.2017, p. 1 and OJ EU L 236 of 14.09.2017, p. 28.

1) the costs referred to in paragraph 3a and 100% of the costs referred to in paragraph 2(2) to (4a) and paragraphs 2a and 3 in the case referred to in Article 4(1)(i) of Regulation No 651/2014,

2) 100% of the costs specified in section 2(5), incurred by a taxpayer who is a micro, small or medium-sized entrepreneur within the meaning of the provisions of Act of 6 March 2018 – Law entrepreneurs, in the case referred to in Article 4(1)(l) of Regulation No 651/2014

– constitutes individual aid subject to notification to the European Commission, which may be granted after approval by the European Commission.

3f. In the case of taxpayers referred to in paragraph 3a, the amount by which in the tax year due to the deduction of:

1) the costs specified in paragraph 3a and 100% of the costs specified in paragraph 2(2)-(4a), paragraph 2a and paragraph 3, may not exceed twice the amounts specified in Article 4(1)(i) of Regulation No 651/2014;

2) 100% of the costs specified in paragraph 2(5) may not exceed twice the amount the amount specified in Article 4(1)(l) of Regulation No 651/2014.

3g. The intensity of public aid may not exceed the values specified in:

1) Article 25(5)-(7) of Regulation No 651/2014 – in the case of aid referred to referred to in paragraph 3e(1);

2) Article 28(3) and (4) of Regulation No 651/2014 – in the case of aid referred to referred to in paragraph 3e(2).

3h. The taxpayer referred to in paragraph 3a may not make the deductions referred to referred to in paragraph 3d if:

1) is in a difficult economic situation as referred to in Article 2(18) of Regulation No 651/2014;

2) is subject to an obligation to repay aid resulting from an earlier decision of the European Commission declaring the aid unlawful and incompatible with the common market.

3i. A taxpayer referred to in paragraph 3a who benefits from the deduction referred to in paragraph 1, constituting state aid, shall be obliged to submit to the head of the tax office competent for income tax, before the deadline for filing the tax return, the information referred to in Article 37(5) of the Act of 30 April 2004 on proceedings in matters concerning public aid (Journal of Laws of 2023, item 702 and of 2024, item 1635).

3j. The deduction referred to in paragraph 3d shall be made during the period of application of Regulation No 651/2014.

3k. The provision of Article 23(1)(45) shall not apply to eligible costs constituting depreciation write-offs on fixed assets and intangible assets.

4. Eligible costs incurred in basic research are deductible only if the research is conducted on the basis of a contract or agreement with an entity referred to in Article 7(1)(1), (2) and (4)-(8) of the Act of 20 July 2018 – Law on Higher Education and Science.

5. Eligible costs are deductible if they have not been reimbursed to the taxpayer in any form or deducted from the tax base.

6. A taxpayer who, in a tax year, benefits from the tax exemptions referred to in Article 21(1)(63a) or (63b) shall be entitled to a deduction only in respect of eligible costs which are not taken into account by the taxpayer in the calculation of tax-exempt income under those provisions.

7. The amount of eligible costs may not exceed:

1) in the case of a taxpayer referred to in paragraph 3a who is a micro, small or medium-sized entrepreneur within the meaning of the provisions of the Act of 6 March 2018 – Entrepreneurs Law – 200% of the costs referred to in paragraphs 2–3a;
2) in the case of other taxpayers referred to in paragraph 3a – 200% of the costs referred to in paragraph 2(1–4a) and paragraphs 2a–3a, and 100% of the costs referred to in paragraph 2(5);
3) for other taxpayers – 100% of the costs referred to in section 2(2–5), section 2a and section 3, and 200% of the costs referred to in section 2(1) and (1a).

8. The deduction shall be made in the tax return for the tax year in which the eligible costs were incurred. If the taxpayer incurred a loss for the tax year or the taxpayer's income is lower than the amount of deductions to which they are entitled, the deductions – in full or in the remaining part, respectively – shall be made in the tax returns for the six consecutive tax years immediately following the year in which the taxpayer took advantage of or was entitled to take advantage of

the deduction. When making the deduction referred to in the second sentence, the amounts of reductions referred to in Article 26eb(1) shall be taken into account.

9. The provisions of the second and third sentences of paragraph 8 shall not apply if the taxpayer demonstrates

in the tax return, the amount due to him in accordance with Article 26ea.

10. If the taxpayer died before the expiry of the period specified in paragraph 8, the undeducted amount shall be deducted by the enterprise in succession if the deceased taxpayer did not indicate this amount in the tax return in accordance with Article 26ea. The undeducted amount shall be deducted by the enterprise in succession during the period in which the deceased taxpayer was entitled to this right.

Article 26ea. 1. A taxpayer who, in the year of commencing business activity, incurred a loss or achieved income lower than the amount of the deduction specified in Article 26e(1) for that year, shall be entitled to an amount equal to:

1) the product of the lowest tax rate specified in the scale referred to in Article 27(1) and the deduction not deducted under Article 26e(1) – in the case of a taxpayer taxed according to the rules specified in Article 27(1), or

2) 19% of the deduction not deducted under Article 26e(1) – in the case of a taxpayer taxed according to the rules specified in Article 30c.

2. The provision of paragraph 1 shall also apply in the year immediately following the year of commencement of business activity if, in that year, the taxpayer referred to in paragraph 1 is a micro, small or medium-sized entrepreneur within the meaning of the provisions of the Act of 6 March 2018 – Entrepreneurs Law.

3. The amount declared by the taxpayer in the tax return, due under paragraph 1 or 2, constitutes *de minimis* aid granted within the scope and under the rules laid down in directly applicable Community legislation on aid under the *de minimis* rule.

4. The provision of paragraph 1 shall not apply to a taxpayer commencing business activity who, in the year of commencing such activity, as well as in the period of two years from the end of the year preceding the year of commencing such activity, conducted business activity independently or as a partner in a company not being a legal person, or such activity was conducted by the spouse of that person, if the spouses had joint property at that time.

5. The taxpayer is obliged to refund, in accordance with the rules specified in paragraph 5a, the amount declared in the tax return, to which he is entitled under paragraph 1 or 2, if, within three tax years from the end of the tax year for which

he submitted that return, he liquidates his business or is declared bankrupt, or a company which is not a legal person, of which he is a partner, and whose activity was related to the refund, is put into liquidation or bankruptcy.

5a. In the event of the circumstances referred to in paragraph 5, the taxpayer shall be obliged, in the return submitted for the tax year in which these circumstances occurred, to increase the tax by the amount of the refund, and in the event of an overpayment, to reduce it by that amount.

6. The amounts referred to in paragraphs 1 and 2 shall be reported by the taxpayer in the tax return referred to

referred to in Article 45.

Art. 26eb. 1. A taxpayer who is a personal income tax payer and who incurred a loss for the tax year or achieved income lower than the amount of the deduction due in the tax year pursuant to Art. 26e may reduce the amount of income tax advances and flat-rate income tax indicated in paragraph 2 to be transferred to the tax office account by:

1) the product of the lowest tax rate specified in the tax scale referred to in Article 27(1) and the deduction not deducted pursuant to Article 26e – in the case of a taxpayer taxed according to the rules specified in Article 27(1), or
2) 19% of the deduction not deducted under Article 26e – in the case of a taxpayer taxed according to the rules specified in Article 30c.

2. The provision of (1) shall apply to advance payments to income tax and flat-rate income tax referred to in Article 32 and Article 41(1) and (4), collected from the income (revenues) of natural persons on account of:

1) employment relationship, employment relationship, outwork, cooperative employment relationship and cash benefits paid by the taxpayer from social insurance;
2) the performance of services on the basis of a contract of mandate or a contract for specific work;
3) copyright.

3. The natural persons referred to in paragraph 2 shall be understood as natural persons directly involved in research and development activities, whose time:

1) work devoted to research and development activities during the total working time in a given month is at least 50% or

2) allocated to performing services in the field of research and development activities and development activities on the basis of a contract of mandate or a contract for specific work in a given month, the remaining time allocated to the performance of the service is at least 50%.

4. The right to a reduction referred to in paragraph 1 shall be exercised from the month immediately following the month in which the taxpayer submitted the return referred to in Article 45(1) or (1a)(2) until the end of the tax year in which the return was submitted.

5. The provisions of paragraphs 1-4 shall not apply to:

1) advance payments made in accordance with the rules laid down in Article 38(2) to (2c);

2) a taxpayer who is entitled to the amount specified in Article 26ea.

6. If a taxpayer has lost the right to the deduction referred to in paragraph 1, they shall add the amounts previously deducted in the tax return submitted for the tax year in which they lost that right.

7. The provision of Article 26e(10) shall apply accordingly.

Art. 26f. Taxpayers benefiting from the deduction referred to in Art. 26e and taxpayers entitled to the amount specified in Art. 26ea are required to indicate in their tax returns the eligible costs incurred that are subject to deduction or constitute the basis for calculating the amount due to the taxpayer.

Art. 26g. The deduction referred to in Art. 26e and the amount to which the taxpayer is entitled under Art. 26ea shall be indicated by the taxpayer in the tax return in which he/she settles income from the source specified in Art. 10(1)(3).

Art. 26ga. 1. A taxpayer conducting non-agricultural business activity may deduct from the tax base, determined in accordance with Art. 26(1) or Art. 30c(2), an amount equal to 30% of the total costs of trial production of a new product and the launch of a new product on the market, provided that the amount of the deduction does not exceed 10% of the income earned from non-agricultural business activity in a tax year.

2. , the product is understood to mean , , and the product is understood to mean , within the meaning of the provisions of the Accounting Act on accounting, excluding services.

3. The trial production of a new product is understood to mean the start-up stage production not requiring further design or engineering work, the purpose of which is to carry out trials and tests prior to the launch of the production process for a new product resulting from research and development work carried out by the taxpayer, with the technological start-up stage covering the period from the moment the first cost related to this stage is incurred to the moment the production of the new product begins.

4. The launch of a new product on the market is understood as activities undertaken to prepare documentation for obtaining, in relation to a product resulting from the taxpayer's research and development work
-development work, enabling the product to be put on sale.

5. The following are considered to be the costs of trial production of a new product:

1) the purchase price referred to in Article 22g(3) or the production cost referred to in Article 22g(4) of brand new fixed assets necessary to start trial production of a new product, classified in groups 3–6 and 8 of the Classification;
2) improvement expenses referred to in Article 22g(17), incurred in order to adapt a fixed asset classified in groups 3–6 and 8 of the Classification to the launch of trial production of a new product;
3) costs of purchasing materials and raw materials purchased solely for the purpose of trial production a new product.

6. The costs of launching a new product on the market include the costs of:

1) research, expert opinions, preparation of documentation necessary to obtain a certificate, approval, CE mark, safety mark, obtaining or maintaining a marketing authorisation or other mandatory documents or markings related to marketing or use, and the costs of fees charged for their acquisition, renewal or extension;
2) product life cycle assessment;
3) environmental technology verification system.

7. The costs of trial production of a new product and the launch of a new product on the market shall be reduced by the value added tax, except where, in accordance with separate regulations, the value added tax does not constitute input tax or the taxpayer is not entitled to a reduction in the amount of tax due

by the input tax or a refund of the tax difference within the meaning of the Goods and Services Tax Act
.

8. In the case of deducting the costs of trial production of a new product referred to in paragraph 5(1) and (2), the provision of Article 23(1)(45) shall not apply.

9. The deduction is available if the costs of trial production of a new product or launching a new product:

1) were actually incurred in the tax year for which the
the deduction is made;

2) were not reimbursed to the taxpayer in any form or were not
deducted from the tax base.

10. A taxpayer who, in a tax year, benefits from the tax exemptions referred to in Article 21(1)(63a) or (63b) shall be entitled to a deduction only in respect of the costs of trial production of a new product or the launch of a new product, which are not taken into account by the taxpayer in the calculation of tax-exempt income under those provisions.

11. The deduction is made in the tax return for the tax year in which the costs of trial production of a new product or the launch of a new product were incurred. If the taxpayer incurred a loss for the tax year or the taxpayer's income is lower than the amount of deductions to which they are entitled, the deductions – in full or in the remaining part, respectively – shall be made in the tax returns for the six consecutive tax years immediately following the year in which the taxpayer used or was entitled to use the deduction.

12. The provision of Article 26e(10) shall apply accordingly.

Article 26gb. 1. A taxpayer deriving income from non-agricultural economic activity shall deduct from the tax base determined in accordance with Article 26(1) or Article 30c(2) the costs of obtaining income incurred in order to increase income from the sale of products up to the amount of income obtained by the taxpayer in the tax year from non-agricultural business activity, but not more than PLN 1,000,000 in the tax year.

2. Products are understood to mean items manufactured by the taxpayer.

3. The increase in revenue from the sale of products referred to in paragraph 1 shall be understood as the sale of products for consideration to an entity that is not a related entity within the meaning of Article 23m(1)(4).

4. The taxpayer shall be entitled to the deduction provided that, during two consecutive tax years, counting from the tax year in which the costs of increasing the revenue referred to in paragraph 1 were incurred, they increased their revenue from the sale of products in relation to the revenue from this source determined on the last day of the tax year preceding the year in which these costs were incurred, or they achieved revenue from the sale of products not previously offered, or they achieved revenue from the sale of products not previously offered in a given country.

5. When determining whether the condition referred to in paragraph 4 has been met, only revenues from which income is taxable in the territory of the Republic of Poland shall be taken into account.

6. If a taxpayer who has taken advantage of the deduction fails to meet the condition referred to in paragraph 4, they are obliged to add the previously deducted amount to their tax return for the tax year in which the deadline for generating revenue from the sale of products expired.

7. The following costs shall be considered as costs incurred in order to increase revenue from the sale of products:

1) participation in trade fairs incurred for:
   a) organisation of the exhibition space,
   b) purchase of airline tickets for employees and the taxpayer,
   c) accommodation and meals for employees and the taxpayer;
2) promotional and informational activities, including the purchase of advertising space, preparation of a website, press publications, brochures, information catalogues and leaflets concerning products;
3) adapting product packaging to the requirements of contractors;
4) preparation of documentation enabling sale of products, in particular concerning the certification of goods and registration of trademarks;
5) preparing the documentation necessary to participate in a tender, as well as for the purpose of submitting bids to other entities.

8. A taxpayer who, in a tax year, benefits from the tax exemptions referred to in Article 21(1)(63a) or (63b) shall be entitled to a deduction only in respect of tax-deductible costs incurred in order to increase revenue from the sale of products which are not taken into account by the taxpayer

in the calculation of tax-exempt income on the basis of these provisions.

9. The deduction shall be made in the tax return for the tax year in which the costs were incurred in order to increase revenue from the sale of products. If the taxpayer incurred a loss for the tax year or the taxpayer's income is lower than the amount of deductions to which they are entitled, the deductions – in full or in the remaining part, respectively – shall be made in the tax returns for the six consecutive tax years immediately following the year in which the taxpayer used or was entitled to use the deduction.

10. Tax-deductible costs incurred to increase revenue from the sale of products are deductible if they have not been reimbursed to the taxpayer in any form or have not been deducted from the income tax base.

11. The provision of Article 26e(10) shall apply accordingly.

Art. 26h. 1. A taxpayer who is the owner or co-owner of a single-family residential building shall have the right to deduct from the tax base, determined in accordance with Art. 26(1) or Art. 30c(2), expenses incurred in the tax year for building materials, equipment and services related to the implementation of a thermal modernisation project in that building, as specified in the regulations issued on the basis of paragraph 10, which will be completed within 3 consecutive years from the end of the tax year in which the first expense was incurred.

2. The amount of the deduction may not exceed PLN 53,000 in relation to all thermal modernisation projects carried out in individual buildings owned or co-owned by the taxpayer.

3. The amount of expenditure is determined on the basis of invoices issued by a taxpayer subject to VAT who does not benefit from exemption from this tax.

4. If the expenses incurred were subject to VAT, the amount of the expense is considered to be the expense including VAT, unless this tax was deducted under the VAT Act. The date of incurring the expense is considered to be the date of issue of the invoice.

5. Expenses are not deductible in the part in which they were:

1) financed (co-financed) from the National Fund for Environmental Protection and Water Management or provincial funds for environmental protection

environment and water management or returned to the taxpayer in any form;

2) included in tax-deductible costs, deducted from income on the basis of the Act on flat-rate income tax or taken into account by the taxpayer in connection with the use of tax reliefs within the meaning of the Tax Ordinance.

6. The deduction is made in the tax return for the tax year in which the the expenses were incurred.

7. The amount of the deduction not covered by the taxpayer's annual income is deductible in subsequent years, but for no longer than 6 years from the end of the tax year in which the first expense was incurred.

8. A taxpayer who, after the year in which they made the deductions, received a refund of the deducted expenses for the implementation of a thermal modernisation project, is obliged to add the previously deducted amounts to their income for the tax year in which they received the refund.

9. If the thermal modernisation project is not completed within the time limit referred to in paragraph 1, the taxpayer shall add the amounts previously deducted to the income for the tax year in which the time limit expired.

10. The minister responsible for construction, planning and spatial development and housing, in consultation with the minister responsible for climate, the minister responsible for the economy and the minister responsible for public finance, shall specify, by way of a regulation, a list of types of building materials, equipment and services related to the implementation of thermal modernisation projects referred to in paragraph 1, with a view to ensuring the improvement of the energy efficiency of thermal modernisation projects and their impact on the improvement of air quality.

Art. 26ha. 1. A taxpayer conducting non-agricultural economic activity may deduct from the tax base, determined in accordance with Art. 26(1) or Art. 30c(2), an amount representing 50% of the tax-deductible costs incurred for the following activities:

1) sports,

2) cultural activities within the meaning of the Act of 25 October 1991 on the organisation and conduct of cultural activities,

3) supporting higher education and science

– provided that the amount of the deduction does not exceed the amount of income earned by taxpayer in the tax year from non-agricultural business activity.

2. Tax-deductible costs incurred for sporting activities are considered to be costs incurred for financing:

1) a sports club referred to in Article 28(1) of the Act of 25 June 2010 on sport, for the purposes specified in Article 28(2) of that Act;

2) a sports scholarship;

3) a sporting event that is not a mass sporting event referred to in Article 3(3) of the Act of 20 March 2009 on the safety of mass events (Journal of Laws of 2023, item 616).

3. A sports scholarship referred to in paragraph 2(2) shall be understood as a unilateral, non-refundable cash benefit financed by the taxpayer, which is granted by local government units, the minister responsible for physical culture, public benefit organisations or sports clubs, for achieving a specific sporting result or enabling preparation for a sporting event.

4. The costs incurred for cultural activities shall be deemed to be the costs incurred for financing:

1) cultural institutions entered in the register kept pursuant to Article 14(3) of the Act of 25 October 1991 on the organisation and conduct of cultural activities;

2) cultural activities carried out by art colleges and public art schools.

5. The following costs incurred in support of higher education and science are considered tax-deductible costs:

1) scholarships referred to in:

a) Articles 97 and 213 of the Act of 20 July 2018 – Law on Higher Education and science,

b) Article 283 of the Act of 3 July 2018 – Provisions introducing the Act – Higher Education and Science Act (Journal of Laws, item 1669, as amended[10)]);

2) financing of fees for an employee employed by the taxpayer, referred to in referred to in Article 163(2) of the Act of 20 July 2018 – Education Law

[10)] Amendments to the aforementioned Act were published in the Journal of Laws of 2019, items 39 and 534, of 2020, items 695, 875 and 1086, of 2021, items 1630 and 2232, of 2022, items 1010, 1117 and 2306, of 2023, items 212 and 1672, and of 2024, item 124.

higher education and science, as specified in the agreement concluded between the education provider and the person undertaking education;

3) financing of remuneration, including derivatives, for students undergoing internships and work placements provided for in the study programme;

4) financing of dual studies referred to in Article 62 of the Act of 20 July 2018 – Law on Higher Education and Science, in a specific field of study, including the costs of apprenticeships;

5) remuneration paid within 6 months from the date of employment by the taxpayer organising professional internships for students of a given university to an employee who is a graduate of that university employed through the academic career office referred to in Article 49(4) of the Act of 20 July 2018 – Law on Higher Education and Science, run by that university.

6. The deduction of the costs referred to in paragraph 5(3)-(5) shall be granted provided that they are incurred on the basis of an agreement concluded by the taxpayer with the university.

7. The right to deduct tax-deductible costs incurred for activities supporting higher education and science is not available to a taxpayer who is the founder of a non-public university.

8. The costs referred to in paragraph 1 are deductible if they have not been reimbursed to the taxpayer in any form or have not been deducted from the tax base.

9. The deduction shall be made in the tax return for the tax year in which the the costs referred to in paragraph 1 were incurred.

10. A taxpayer benefiting from the deduction shall submit, by the deadline for filing the tax return in which the deduction is made, information in accordance with the established template, containing a list of deductible costs incurred.

11. In the case of claiming the deduction of costs referred to in paragraph 1, the provision of Article 23(1)(45) shall not apply.

Article 26hb. 1. A taxpayer may deduct from the tax base determined in accordance with Article 26(1) or Article 30c(2), the following expenses:

1) incurred in the tax year for payments to the renovation fund of a housing community or housing cooperative established in accordance with separate

regulations, for an immovable monument entered in the register of monuments or included in the register of monuments;

2) for conservation, restoration or construction works on a monument listed in the register of monuments.

3) (repealed)

2. The deduction referred to in:

1) paragraph 1(1) shall be available to a taxpayer if, at the time of incurring the expenditure is the owner or co-owner of the immovable monument;

2) Paragraph 1(2) applies to taxpayers if, at the time of incurring the expense, the taxpayer is the owner or co-owner of the immovable monument referred to in this provision, and has a written permit from the provincial conservator of monuments to carry out conservation, restoration or construction works on that monument, and after incurring the expense, has obtained a certificate from the provincial conservator of monuments confirming the completion of such works or construction works.

3) (repealed)

3. The date of incurring the expenses referred to in:

1) paragraph 1(1) shall be deemed to be the date of payment of the amount due;

2) paragraph 1(2) shall be deemed to be the date of issue of the invoice.

3) (repealed)

4. The deductions referred to in paragraph 1(1) and (2) may not exceed 50% of documented expenses:

1) proof of payment to the renovation fund of the housing community or housing cooperative or a certificate of the amount of payments in the tax year issued by the housing community or housing cooperative;

2) an invoice issued by a taxpayer subject to goods and services tax who does not benefit from exemption from this tax, increased by the amount of goods and services tax, unless this tax has been deducted on the basis of the Goods and Services Tax Act.

5. (repealed)

6. Spouses who have joint property may deduct the expenses referred to in paragraph 1 in equal parts or in any proportion agreed between them, regardless of whether the document confirming

the expenditure was issued in the name of both spouses or one of them.

7. Deductions of the expenses referred to in:

1) paragraph 1(1) shall be made in the tax return submitted for the tax year in which the expenses were incurred;

2) Paragraph 1(2) – shall be made in the tax return submitted after receiving the certificate referred to in paragraph 2(2).

8. The amount of the deduction not covered by the taxpayer's annual income shall be deducted in subsequent years, but for no longer than six years from the end of the tax year in which the deduction was made.

9. Expenses are not deductible to the extent that:

1) have been deducted from income on the basis of the Act on flat-rate income tax Income Tax Act;

2) have been taken into account by the taxpayer in connection with the use of tax reliefs within the meaning of the Tax Ordinance;

3) they exceed the scope of works and activities specified in the permit issued by the provincial conservator of monuments or were performed in violation of the permit issued by the provincial conservator of monuments;

4) were financed, co-financed or reimbursed to the taxpayer in any form.

10. A taxpayer who, after the year in which he made the deductions, received a refund of the deducted expenses, is obliged to add the previously deducted amounts to the income for the tax year in which he received the refund.

11. In the case of deducting the expenses referred to in paragraph 1, constituting depreciation write-offs on fixed assets and intangible assets, the provision of Article 23(1)(45) shall not apply.

12. Whenever paragraphs 1–11 refer to:

1) usable area – this means the area referred to in Article 16(4) and (5) of the Act of 28 July 1983 on inheritance and gift tax (Journal of Laws of 2024, item 1837);

2) conservation works – this means conservation works within the meaning of Article 3(6) of the Act of 23 July 2003 on the protection and care of monuments;

3) restoration works – this means restoration works within the meaning of Article 3(7) of the Act of 23 July 2003 on the protection and care of monuments;

4) construction works – this means construction works within the meaning of Article 3(8) of the Act of 23 July 2003 on the protection and care of monuments;

5) immovable monument – this means an immovable monument referred to in Article 6(1)(1)(c–e) of the Act of 23 July 2003 on the protection and care of monuments.

Article 26hc. 1. A taxpayer may deduct from the tax base, determined in accordance with Article 26(1) or Article 30c(2), an amount representing 50% of the expenses incurred for the acquisition or subscription of shares in:

1) an alternative investment company or

2) a capital company in which the alternative investment company:

   a) holds at least 5% of the shares,

   b) will hold at least 5% of shares as a result of the acquisition or subscription of shares in that company within 90 days from the date of acquisition or subscription of shares in the capital company by the taxpayer

– up to an amount not exceeding PLN 250,000 in a tax year.

2. The deduction is available if all of the following conditions are met:

1) a partner in an alternative investment company is an entity that has acquired or taken up shares (shares) in an alternative investment company financed in whole or in part from European funds within the meaning of Article 2(5) of the Act of 27 August 2009 on public finance, which are not non-refundable, intended for investments venture capital in the Republic of Poland;

2) the taxpayer has concluded an investment agreement with an alternative investment company regulating the rights and obligations of the alternative investment company and the taxpayer resulting from the taxpayer's acquisition of shares (shares) in an alternative investment company or a joint investment of an alternative investment company and the taxpayer in a capital company in which the alternative investment company will acquire or take up at least 5% of the shares (stocks);

3) within 2 years preceding the date of the first acquisition or purchase of shares (shares) in an alternative investment company or in a capital company referred to in

referred to in paragraph 1, this alternative investment company and capital company was not a related entity within the meaning of Article 23m(1)(4) to the taxpayer;

4) the taxpayer will hold the shares referred to in paragraph 1 for an uninterrupted period of at least 24 months.

3. The deduction shall be made in the tax return for the tax year in which the the expenses were incurred.

4. If the condition referred to in paragraph 2(4) is not met, the taxpayer shall be obliged to add the amounts previously deducted to the income for the tax year in which the shares in the alternative investment company or capital company were sold.

Art. 26hd. 1. A taxpayer deriving income from non-agricultural business activity may deduct from the tax base, determined in accordance with Art. 26(1) or Art. 30c(2), expenses for the purchase of a payment terminal and expenses related to the handling of payment transactions using a payment terminal incurred in the tax year in which they began accepting payments using a payment terminal and in the year following that year, up to the amount of:

1) PLN 2,500 in the tax year – in the case of taxpayers exempt from the obligation to keep records of sales to natural persons not engaged in economic activity and flat-rate farmers using cash registers, in accordance with the provisions on tax on goods and services;

2) PLN 1,000 per tax year – in the case of taxpayers other than those specified in point 1.

2. The taxpayer referred to in paragraph 1, being a small taxpayer who is entitled to receive a tax refund in the tax year, referred to in Article 87(2) of the Goods and Services Tax Act, on the terms specified in Article 87(6d)-(6l) of that Act:

1) for at least seven months – in the case of a taxpayer referred to in Article 99(1) of the Goods and Services Tax Act,

2) for at least two quarters – in the case of a taxpayer referred to in Article 99(2) and (3) of the Goods and Services Tax Act

– may deduct from the titles referred to in paragraph 1 an amount corresponding to 200% of the expenses incurred, but not more than PLN 2,000 in a tax year,

the deduction is available in each tax year in which the taxpayer incurred the expenses, and the provisions of paragraphs 6 and 7 shall not apply.

3. The amount of the deduction referred to in paragraphs 1 and 2 may not exceed the amount of income earned by the taxpayer from non-agricultural economic activity in a tax year.

4. The right to the deduction referred to in paragraph 2 shall apply where the right to receive the tax difference, under the rules laid down in Article 87(6d)-(6l) of the Goods and Services Tax Act, is vested in the taxpayer or in a company which is not a legal person and in which the taxpayer is a partner.

5. If, in connection with the expenses referred to in paragraph 1, the taxpayer is entitled to make the deduction referred to in paragraphs 1 and 2, he shall make the deduction on the basis of paragraph 1 or 2.

6. A taxpayer who has ensured the possibility of accepting payments using a payment terminal by using programmes financing the reimbursement of expenses related to the handling of payment transactions using a payment terminal shall shall deduct the expenses referred to in paragraph 1 in the tax year in which he ceased to use programmes financing the reimbursement of expenses related to the handling of payment transactions using a payment terminal, and in the year following that year.

7. The provision of paragraph 1 shall not apply to a taxpayer who accepted payments using a payment terminal during the 12 months immediately preceding the month in which the taxpayer resumed accepting payments using a payment terminal.

8. Expenses related to the processing of payment transactions using a payment terminal shall be understood as the fees referred to in Article 2(19a)-(19ab) of the Act of 19 August 2011 on payment services (Journal of Laws of 2024, item 30, 731 and 1222), and fees for the use of a payment terminal resulting from a rental, lease or other similar agreement.

9. A payment terminal is understood as a device enabling cashless payments using a payment card or other payment instrument, within the meaning of the provisions of the Act of 19 August 2011 on payment services.

10. If the expenses incurred were subject to value added tax, the amount of the expense shall be deemed to be the amount of the expense including value added tax,

unless this tax has been deducted under the Act on Goods and Services Tax and services Act.

11. Expenses are not deductible to the extent that they have been deducted from income under the Act on Flat-Rate Income Tax or refunded to the taxpayer in any form.

12. The deduction is made in the tax return for the tax year in which the the expenses were incurred.

13. The amount of the deduction not covered by the taxpayer's annual income shall be deducted in the tax returns for the six consecutive tax years immediately following the year in which the expenditure was incurred.

14. In the case of using the deductions referred to in paragraphs 1 and 2, the provision of Article 23(1)(45) shall not apply.

15. The provision of Article 26e(10) shall apply accordingly.

Art. 26he. 1. A taxpayer who obtains income from a source specified in Art. 10(1)(3) may deduct from the tax base, determined in accordance with Art. 26(1) or Art. 30c(2), the amount of:

1) PLN 12,000 if a soldier of the territorial military service employed under an employment relationship, as well as a soldier of the active reserve, performs at least 1 year of uninterrupted territorial military service or service in the active reserve;
2) PLN 15,000 if a soldier of the territorial military service employed under an employment relationship, as well as a soldier of the active reserve, has performed at least 2 years of uninterrupted territorial military service or service in the active reserve;
3) PLN 18,000 if a soldier of the territorial military service employed under an employment relationship, as well as a soldier of the active reserve, has completed at least 3 years of uninterrupted territorial military service or service in the active reserve;
4) PLN 21,000 if a soldier of the territorial military service employed under an employment relationship, as well as a soldier of the active reserve, has completed at least 4 years of uninterrupted territorial military service or service in the active reserve;
5) PLN 24,000 if a soldier of the territorial military service employed under an employment relationship, as well as a soldier of the active reserve, has served at least

at least 5 years of continuous territorial military service or service in the active reserve.

2. The condition referred to in paragraph 1 concerning the period of service of a soldier in territorial military service or a soldier in active reserve shall be determined as at 31 December of the tax year or the last day of employment of that soldier in the tax year.

3. A taxpayer who is a micro-entrepreneur or a small entrepreneur within the meaning of Article 7(1)(1) and (2) of the Act of 6 March 2018 - Entrepreneurs' Law may increase the amounts referred to in paragraph 1 by a factor of 1.5.

4. A taxpayer who employs at least 5 employees on a full-time basis throughout the tax year, who is not a micro-entrepreneur or small entrepreneur, may increase the amounts referred to in paragraph 1 by a factor of 1.2.

5. The amount of the deduction referred to in paragraphs 1, 3 and 4 may not exceed the income earned by the taxpayer in the tax year from the source referred to in Article 10(1)(3). If the taxpayer incurred a loss from this source in the tax year or the amount of income earned by the taxpayer from this source is lower than the amount of deductions to which they are entitled, the taxpayer may make the deduction referred to in the first sentence in the next 5 consecutive tax years, provided that the amount of the deduction may not exceed in any of those years the amount of income earned from the source referred to in Article 10(1)(3).

6. If a soldier of the territorial military service or active reserve referred to in paragraph 1 was employed under an employment relationship for less than a full tax year, the right to deduction shall be 1/12 of the amount referred to in paragraph 1 for each full calendar month of such employment.

7. The deduction referred to in paragraph 1 shall be granted for each soldier of the territorial military service or active reserve employed under an employment relationship who, in accordance with their employment contract, is entitled to a monthly remuneration of at least the minimum wage applicable in a given month pursuant to the provisions of the Act of 10 October 2002 on the minimum wage. In the case of conducting business activity in the form of a company that is not a legal person, a partner in that company shall not be considered an employee referred to in the first sentence.

8. The deduction is made in the tax return referred to in Article 45(1) or (1a)(2), providing the PESEL number of soldiers in territorial military service or active reserve, the number of months and years of uninterrupted service in the territorial military service, information on whether the taxpayer is a micro-entrepreneur, small entrepreneur or employs at least 5 employees. At the request of the tax authorities, the taxpayer is obliged to present certificates, statements and other evidence necessary to determine the right to deduction.

9. The provision of Article 26e(10) shall apply accordingly.

Article 26i. 1. The tax base determined in accordance with Article 26(1), Article 30c(2) or Article 30ca(3) and after prior deduction of the amounts specified in Article 26e, Article 26ga, Article 26gb, Articles 26h-26he and Article 52jb:

1) may be reduced by the value of receivables classified as accrued income within the meaning of Article 4(1a) of the Act on Counteracting Excessive Delays, which have not been settled or sold, whereby the reduction is made in the tax return submitted for the tax year in which 90 days have elapsed from the payment deadline specified in the invoice (bill) or in the contract;
2) is subject to an increase by the value of the obligation to pay a cash benefit within the meaning of Article 4(1a) of the Act on Counteracting Excessive Delays, which has not been settled and is classified as a tax-deductible cost, whereby the increase is made in the tax return submitted for the tax year in which 90 days have elapsed from the payment deadline specified in the invoice (bill) or in the contract.

2. If the taxpayer has incurred a loss from a source related to a commercial transaction within the meaning of the Act on Counteracting Excessive Delays, the amount of the loss:

1) may be increased by the value of the receivable for payment of a monetary benefit within the meaning of Article 4(1a) of the Act on Counteracting Excessive Delays, which has not been settled or sold, whereby the increase is made in the tax return submitted for the tax year in which 90 days have elapsed from the payment deadline specified in the invoice (bill) or in the contract;
2) it is subject to a reduction by the value of the obligation to pay a cash benefit within the meaning of Article 4(1a)

of the Act on Counteracting Excessive Delays, which has not been settled, with the reduction being made in the tax return submitted for the tax year in which 90 days have elapsed from the payment deadline specified in the invoice (bill) or in the contract.

3. If the value of the reduction in the tax base, applicable under paragraph 1(1), exceeds that base, the reduction in the tax base by the non-deductible value shall be made in subsequent tax years, but for no longer than three years from the end of the tax year for which the right to reduction arose. The reduction of the tax base in subsequent years shall be made if the receivable has not been settled or sold.

4. If the value of the liability referred to in paragraph 2(2) is higher than the amount of the loss subject to reduction under paragraph 2(2), the difference shall increase the tax base under paragraph 1(2).

5. Reductions pursuant to paragraph 1(1) or increases pursuant to paragraph 2(1) shall be made if the debt has not been settled or sold by the date of filing the tax return.

6. An increase pursuant to paragraph 1(2) or a reduction pursuant to paragraph 2(2) shall be made if the liability has not been settled by the date of filing the tax return.

7. If, after the tax year for which a reduction was made pursuant to paragraph 1(1) and paragraph 3 or an increase was made pursuant to paragraph 2(1), the claim is settled or disposed of, the taxpayer shall be obliged to increase the tax base or reduce the loss in the tax return submitted for the tax year in which the debt was settled or sold, respectively, by the value of the amounts previously deducted or added. If the amount of the loss is less than the amount reducing it, the difference shall increase the tax base.

8. If, after the tax year for which an increase was made pursuant to section 1(2) and section 4 or a decrease was made pursuant to section 2(2), the liability is settled, the taxpayer shall reduce the tax base or increase the loss in the tax return submitted for the tax year in which the liability was settled. If the value of the reduction in the tax base is higher than that base, the reduction in the tax base by the non-deductible value shall be made in subsequent tax years, but not longer

for a period of 3 years from the end of the tax year for which it arose.

right to reduction.

9. The provisions of paragraphs 1 and 2 shall apply only to claims or liabilities, respectively for payment or to pay, monetary benefits arising from commercial transactions, if at least one of the parties determines revenues or tax-deductible costs on account of these transactions, regardless of the date of their recognition in these revenues or tax-deductible costs.

10. The provisions of paragraphs 1 and 2 shall apply if all of the following conditions are met:

1) on the last day of the month preceding the date of filing the tax return, the debtor is not undergoing restructuring, bankruptcy or liquidation proceedings;
2) two years have not elapsed from the date of issue of the invoice (bill) or conclusion of the agreement documenting the claim, counting from the end of the calendar year in which the invoice (bill) was issued or the agreement was concluded, and if the calendar year in which the invoice (bill) was issued is different from the calendar year in which the agreement was concluded – when two years have not elapsed from the end of the calendar year of the later of these activities;
3) the commercial transaction is concluded as part of the creditor's and debtor's activities, the income from which is subject to income tax in the territory of the Republic of Poland.

11. The 90-day period referred to in paragraphs 1 and 2 shall be counted from the first day following the date specified on the invoice (bill) or in the contract as the deadline for settlement of the liability.

12. Receivables deducted from the tax base or increasing the amount of loss under the rules specified in section 1(1), section 2(1), section 3 and sections 5–7, or deducted from income under the Flat-Rate Income Tax Act, shall not be included in tax-deductible costs under other provisions of the Act.

13. The receivables referred to in paragraphs 1 and 2 shall not be deducted from the tax base or increase the loss if they have been included in tax-deductible costs on the basis of other provisions of the Act, including through provisions or write-offs.

14. If the right or the obligation respectively increase or

reduction referred to in paragraphs 1, 2 and 4 or paragraphs 7 and 8 arises after the liquidation

the business, after a change in the rules for determining income in relation to special sections of agricultural production or after a change in the form of taxation, a reduction or increase in the tax base or loss shall be made in the tax return submitted for the tax year in which the activity was liquidated or for the tax year preceding the year in which the form of taxation or the rules for determining income in relation to special sections of agricultural production changed.

15. If the payment deadline specified on the invoice (bill) or in the contract violates the provisions of the Act on Counteracting Excessive Delays, the payment deadline referred to in paragraphs 1 and 2 shall be understood as the deadline specified in accordance with the provisions of that Act.

16. The provisions of paragraphs 1-15 shall apply accordingly to partners in a company that is not a legal person, except that the condition referred to in paragraph 10(1) shall apply to a company that is not a legal person.

17. The provisions of paragraphs 1–16 shall apply accordingly in the case of settlement or disposal of part of the claim.

18. The provisions of paragraphs 1 and 2 shall not apply to commercial transactions between related entities within the meaning of Article 23m(1)(4).

19. (repealed)

20. The provisions of paragraphs 1–18 shall not apply to receivables and liabilities subject to inclusion in:

1) revenues on the date of settlement receivables in accordance with Article 14c (2), except where such receivables are to be credited to revenues on the date specified in accordance with Article 14c(2)(1) and (2), and

2) tax-deductible costs in accordance with Article 22(4a) and (4b).

21. In the case of receivables to be included in revenue on the date specified in accordance with Article 14c(2)(1) and (2), the taxpayer shall reduce the tax base or increase the loss in the tax return submitted for the tax year in which the revenue was determined on that date. The provision of paragraph 10(2) shall not apply.

Article 27. 1. Subject to Articles 29-30f, income tax shall be levied on the basis of its calculation according to the following tax scale:

Basis of in PLN		The tax amounts to
over	to	
	120,000	12% minus tax reduction amount PLN 3,600
120,000		PLN 10,800 + 32% of the surplus over PLN 120,000

1a. (repealed)

1b. (repealed)

1c. The amount of the tax reduction specified in the first tax bracket referred to in paragraph 1, hereinafter referred to as the "tax reduction amount", shall be verified by the minister responsible for public finance.

1d. The minister responsible for public finance shall submit to the Council of Ministers, by 15 September of a given year, a proposal to change the tax reduction amount for the following year, if the minimum subsistence amount for a single-person household determined by the Institute of Labour and Social Affairs is higher than 1/12 of the quotient of the tax reduction amount and the tax rate specified in the first tax bracket referred to in paragraph 1.

2. (repealed)

3. (repealed)

4. (repealed)

5. (repealed)

5a. (repealed)

6. (repealed)

7. (repealed)

8. If a taxpayer referred to in Article 3(1), in addition to taxable income pursuant to paragraph 1, also earned income from activities performed outside the territory of the Republic of Poland or from sources of income located outside the territory of the Republic of Poland, exempt from tax on the basis of double taxation agreements or other international agreements, the tax shall be determined as follows:

1) income exempt from income tax shall be added to income subject to income tax, and tax shall be calculated on the sum of these incomes according to the scale specified in paragraph 1;

2) the interest rate for this tax is determined on the basis of the calculated income;

3) the percentage rate determined in accordance with point 2 shall be applied to the income subject to income tax.

9. If a taxpayer referred to in Article 3(1) also derives income from activities performed outside the territory of the Republic of Poland or from sources of income located outside the territory of the Republic of Poland, and the double taxation agreement does not provide for the application of the method specified in paragraph 8, or the Republic of Poland has not concluded a double taxation agreement with the country in which the income is earned, such income shall be combined with income from sources located in the territory of the Republic of Poland. In this case, an amount equal to the income tax paid in the foreign country shall be deducted from the tax calculated on the total income. However, this deduction may not exceed that part of the tax calculated before the deduction which is proportionate to the income earned in the foreign country.

9a. In the case of a taxpayer referred to in Article 3(1) who derives income exclusively from activities performed outside the territory of the Republic of Poland or from sources of income located outside the territory of the Republic of Poland which are not exempt from tax under double taxation agreements or with the country in which the income is earned, the Republic of Poland has not concluded a double taxation agreement, the rules set out in paragraph 9 shall apply accordingly.

10. (repealed)

Art. 27a. (repealed)

Art. 27b. (repealed)

Art. 27c. (repealed)

Art. 27d. (repealed)

Art. 27e. (repealed)

Art. 27ea. (repealed)

Art. 27f. 1. From the income tax calculated in accordance with Art. 27, the taxpayer shall be entitled to deduct the amount calculated in accordance with paragraph 2 for each minor child in respect of whom, in the tax year:

1) exercising parental authority;

2) acted as legal guardian, if the child resided with him or her;

3) provided care by acting as a foster family on the basis of a court decision or an agreement concluded with the district administrator.

2. The deduction is applicable for each calendar month of the tax year in which the taxpayer exercised authority, performed a function or provided care, as referred to in paragraph 1, in relation to:

1) one minor child – PLN 92.67, if the taxpayer's income:
   a) remained married throughout the tax year and his or her spouse did not exceed PLN 112,000 in the tax year,
   b) was not married, including for part of the tax year, did not exceed PLN 56,000 in the tax year, with the exception of a taxpayer raising a minor child alone, referred to in Article 6(4c) and (4g), to whom the income amount specified in point (a) applies;
2) two minor children – PLN 92.67 per child;
3) three or more minor children – PLN:
   a) PLN 92.67 for the first and second child, respectively,
   b) PLN 166.67 for the third child,
   c) PLN 225 for the fourth and each subsequent child.

2a. The income referred to in paragraph 2(1) shall be deemed to be the total income earned in a given tax year to which the taxation rules set out in Article 27, Article 30b and Article 30c, reduced by the amount of contributions referred to in Article 26(1)(2) and (2a) and Article 30c(2)(2).

2b. The deduction referred to in paragraph 2(2) or (3) shall be available to a taxpayer referred to in paragraph 1 who, for at least one day of the tax year, exercised the authority, performed the function or provided care referred to in paragraph 1 in relation to more than one child.

2c. The deduction referred to in paragraph 1 shall not be available from the calendar month in which the child:

1) was placed in an institution providing 24-hour care within the meaning of the provisions on family benefits on the basis of a court decision;
2) entered into marriage.

2d. The following persons shall not be considered as married taxpayers referred to in paragraph 2(1)(a) and paragraphs 10 and 11:

1) a person who has been granted a separation within the meaning of separate provisions;

2) a person who is married if their spouse has been deprived of parental rights or is serving a prison sentence.

2e. The income limits specified in paragraph 2(1) shall not apply to a taxpayer and his or her spouse who exercised parental authority, performed a function or provided care referred to in paragraph 1 in relation to one child who has a certificate or decision referred to in Article 26(7d).

3. Where, in the same calendar month, parental authority, a function or care referred to in paragraph 1 is exercised in relation to a child, each taxpayer shall be entitled to a deduction in the amount of 1/30 of the amount calculated in accordance with paragraph 2 for each day of caring for the child.

4. The deduction applies jointly to both parents, legal guardians of the child or foster parents who are married. Taxpayers may deduct this amount from their tax in any proportion they determine. In the event of a disagreement between taxpayers who, in accordance with a court ruling, jointly exercise parental authority over a minor child after divorce or during separation (alternating custody), or when the child's place of residence is the same as the place of residence of both parents, legal guardians or foster parents who are married, the taxpayers deduct this amount in equal parts. In other cases, a 100% deduction is applied by the taxpayer with whom the child resides within the meaning of the Act of 23 April 1964 – Civil Code.

5. The deduction is made in the tax return referred to in Article 45(1), stating the number of children and their PESEL numbers, and in the absence of these numbers, the first names, surnames and dates of birth of the children. At the request of the tax authorities, the taxpayer is obliged to present certificates, statements and other evidence necessary to establish the right to deduction, in particular:

1) a copy of the child's birth certificate;

2) a certificate from the family court confirming the appointment of a legal guardian for the child;

3) a copy of the court decision appointing a foster family or an agreement concluded between the foster family and the district administrator;

4) certificate confirming that an adult child attends school.

6. The provisions of paragraphs 1-5 shall apply accordingly to taxpayers supporting adult children referred to in Article 6(4c)(2) and (3), taking into account Article 6(4e) and (8), in connection with the performance by those taxpayers of their

maintenance obligation and in connection with their role as foster parents.

7. The provision of Article 6(8) shall apply accordingly to children referred to in paragraphs 1 and 6.

8. If the amount of the deduction due under paragraphs 2, 3 and 4 exceeds the amount deducted under paragraph 1, in the tax return referred to in Article 45(1), the taxpayer shall be entitled to the amount representing the difference between the amount of the deduction to which the taxpayer is entitled and the amount deducted in the tax return.

9. The amount of the difference referred to in paragraph 8 may not exceed the sum of:

1) deductible social security contributions referred to in Article 26(1)(2) and (2a), less the contributions deducted in the tax return, referred to in Article 45 (1a) point 2, or on the basis of the referred to on flat-rate income tax;

2) health insurance contributions referred to in the Act of 27 August 2004 on healthcare services financed from public funds, reduced by contributions deducted in the tax return, referred to in Article 45 (1a) (2), or on the basis of the Act on flat-rate income tax;

3) social security contributions referred to in Article 26(1)(2) and (2a), paid from the taxpayer's funds from income exempt from tax pursuant to Article 21 paragraph 1 point 148 and 152–154, with the exception of income from non-agricultural economic activity, to which the taxation rules specified in Article 30c, Article 30ca or the Act on flat-rate income tax apply.

10. In the case of a deduction referred to in paragraph 1, to which both parents are entitled if they remain married throughout the tax year:

1) parents,

2) legal guardians of a child,

3) foster parents

– the total amount of their contributions shall be used to determine the amount of contributions referred to in paragraph 9.

11. The provision of paragraph 10 shall also apply to a taxpayer who entered into marriage before the beginning of the tax year and whose spouse died during the tax year.

12. The taxpayer shall indicate the amount constituting the difference referred to in paragraph 8 in the tax return referred to in Article 45(1).

Article 27g. 1. A taxpayer subject to the tax obligation specified in Article 3(1), who settles, in accordance with the rules specified in Article 27(9) or (9a), income obtained in the tax year outside the territory of the Republic of Poland:

1) from the sources referred to in Article 12(1), Article 13, Article 14, or
2) from property rights in the field of copyrights and related rights within the meaning of separate regulations, from artistic, literary, scientific, educational and journalistic activities performed outside the territory of the Republic of Poland, with the exception of income (revenues) obtained from the use of or disposal of these rights

– has the right to deduct from income tax, calculated in accordance with Article 27, the amount calculated in accordance with paragraph 2.

2. The deduction shall be the difference between the tax calculated in accordance with Article 27(9) or (9a) and the amount of tax calculated on income from the sources referred to in paragraph 1, applying to that income the rules laid down in Article 27(8). However, this deduction may not exceed PLN 1,360.

3. The deduction shall not apply if the income from the sources referred to in paragraph 1 was obtained in the countries and territories listed in the regulation issued on the basis of Article 23v(2).

4. The provisions of paragraphs 1-3 shall apply accordingly to the tax calculated in accordance with Article 30c.

5. The second sentence of paragraph 2 shall not apply to income earned in a tax year outside the territory of the Republic of Poland from sources referred to in Article 12(1) and Article 13(8)(a) and (9), if such income is earned from work or services performed outside the territory of the states.

Article 28. (repealed)

Article 29. 1. Income tax on income earned in the territory of the Republic of Poland by persons referred to in Article 3(2a) from:

1) from activities specified in Article 13(2) and (6)-(9) and from interest other than that specified in Article 30a(1), from copyright or related rights, from rights to inventions, trademarks and decorative designs, including from the sale of such rights, from fees for the disclosure of a recipe or production process, for the use or right to use

industrial, commercial or scientific equipment, including means of transport, and for information related to experience gained in the industrial, commercial or scientific field (know-how) – a lump sum of 20% of revenue is charged;

2) on fees for services in the field of entertainment, leisure or sports activities performed by natural persons residing abroad and organised through natural persons or legal persons conducting activities in the field of artistic, entertainment or sports events on the territory of the Republic of Poland – levied as a lump sum of 20% of revenue;

3) on fees due for the export of cargo and passengers accepted for transport in Polish ports by foreign commercial shipping companies, with the exception of transit cargo and passengers – a lump sum of 10% of revenue is charged;

4) obtained in the territory of the Republic of Poland by foreign air transport companies, excluding revenue obtained from scheduled passenger air transport, the use of which requires the passenger to hold an air ticket – collected as a lump sum of 10% of revenue;

5) for consulting, accounting, market research, legal services, advertising services, management and control, data processing, employee recruitment and personnel acquisition services, guarantees and sureties, and similar services – levied as a lump sum of 20% of revenue.

2. The provisions of paragraph 1 shall apply taking into account double taxation agreements to which the Republic of Poland is a party. However, the application of the tax rate resulting from the relevant double taxation agreement or the non-collection (non-payment) of tax in accordance with such an agreement is possible provided that the taxpayer's place of residence is documented for tax purposes by a certificate of residence obtained from the taxpayer.

3. The provisions of paragraph 1 shall not apply if the income referred to in paragraph 1 is obtained by a taxpayer referred to in Article 3(2a) conducting non-agricultural economic activity through a foreign establishment located in the territory of the Republic of Poland, provided that the taxpayer holds a certificate of the existence of a foreign establishment issued by the competent tax authority

of the country in which he is resident, or by the competent tax authority of the country in which the foreign establishment is located.

4. If the taxpayers referred to in Article 3(2a):

1) are resident for tax purposes in a Member State of the European Union other than the Republic of Poland, or in another country belonging to the European Economic Area or in the Swiss Confederation, and

2) have documented their place of residence for tax purposes with a certificate of residence tax purposes

– the income referred to in paragraph 1, which is taxable in the territory of the Republic of Poland, may, upon request expressed in the tax return submitted for a given tax year, be taxed according to the rules specified in Article 27(1). In this case, the flat-rate income tax collected on this income, referred to in paragraph 1, shall be treated as an advance payment of income tax collected by the payer.

5. The provision of paragraph 4 shall apply if there is a legal basis under a double taxation agreement or other ratified international agreements to which the Republic of Poland is a party for the tax authority to obtain tax information from the tax authority of the country in which the natural person is resident for tax purposes.

6. For income taxed at a flat rate, as referred to

referred to in paragraph 1, the provision of Article 21(1)(148) shall not apply.

Art. 30. 1. A flat-rate income tax shall be levied on income (revenues)

shall be levied on income (revenue):

1) (repealed)

1a) (repealed)

1b) (repealed)

1c) (repealed)

2) on winnings from competitions, games and mutual betting or prizes related to bonus sales, obtained in a Member State of the European Union or another country belonging to the European Economic Area – in the amount of 10% of the winnings or prize;

3) (repealed)

4) on benefits received by pensioners, disability pensioners or persons receiving teachers' compensation benefits, in connection with their previous employment relationship, employment relationship, outwork relationship or cooperative employment relationship, including from trade unions, subject to Article 21(1)(26) and (38) – at a rate of 10% of the amount due;

4a) on cash benefits received after dismissal from service by uniformed services officers and soldiers, in connection with the dismissal of these persons from permanent service on the basis of separate acts, for a period of one year on a monthly basis or for a period of one year on a one-off basis or on a monthly basis for a period of three months – in the amount of 20% of the amount due;

4b) for benefits received from banks, cooperative savings and credit unions or financial institutions within the meaning of separate regulations, in connection with promotions offered by these entities – in the amount of 19% of the benefit;

5) (repealed)

5a) for the title referred to in Article 13(2) and (5)-(9), if the amount due specified in the contract concluded with a person who is not an employee of the payer does not exceed PLN 200 – in the amount of 12% of the revenue;

6) (repealed)

7) (repealed)

7a) on account of accumulating savings in more than one individual pension account, within the meaning of the provisions on individual pension accounts – in the amount of 75% of the income earned on each individual pension account;

7b) for accumulating savings in more than one OIPE sub-account within the meaning of Article 2(9) of the OIPE Act, if the provisions of the OIPE Act do not provide for such a possibility – in the amount of 75% of the income earned from accumulating savings in each OIPE sub-account;

8) (repealed)

9) (repealed)

10) (repealed)

11) (repealed)

12) (repealed)

13) from one-off compensation for shortening the notice period, paid to soldiers dismissed from professional military service on the basis of Article 14 paragraph 2 *of the Act of 25 May 2001 on the reconstruction and technical modernisation and financing of the Armed Forces of the Republic of Poland (Journal of Laws of 2022, item 161)*[11)] – in the amount of 20% of revenue;

14) from the amount of payments from an individual pension security account, including payments to a beneficiary in the event of the saver's death made pursuant to Article 34a(1)(2) of the Act of 20 April 2004 on individual pension accounts and individual pension security accounts (Journal of Laws of 2024, item 707) – in the amount of 10% of income;

14a) on the amount of benefits for accumulating savings in a sub-account within the meaning of Article 2(23) of Regulation 2019/1238, maintained in accordance with the provisions in force in a Member State of the European Union other than the Republic of Poland – in the amount of 10% of income;

15) on compensation awarded under the provisions on non-competition, if the company obliged to pay the compensation is a company in which the State Treasury, a local government unit, an association of local government units, a state legal person or a municipal legal person directly or indirectly hold a majority of votes at the shareholders' meeting or at the general meeting, including on the basis of agreements-agreements with other persons, in the part where the amount of compensation exceeds the amount of remuneration received by the taxpayer under an employment contract or a contract for the provision of services binding him to the company in the six months preceding the first month of payment of compensation - in the amount of 70% of that part of the compensation due;

16) for severance pay or compensation for shortening the notice period of an employment contract for work involving management activities, or contracts
for the provision of management services concluded with the company referred to in point 15, or their termination before the expiry of the term for which they were concluded, in the part in which the amount of severance pay or of compensation exceeds three times

[11)] The Act expired on 23 April 2022 pursuant to Article 823(9) of the Act of 11 March 2022 on the Defence of the Homeland (Journal of Laws, item 655), which entered into force on 23 April 2022.

monthly remuneration received by the taxpayer under the concluded contract – in the amount of 70% of the severance pay or compensation due;

17) from on account of obtaining revenues, referred to in Article 20(1g) – in the amount of:

a) 10% of the income obtained by a person who, in relation to the founder, is classified in tax group I or II within the meaning of the provisions of the Act of 28 July 1983 on inheritance and gift tax, in the part corresponding to the proportion referred to in Article 27(4) of the Act of 26 January 2023 on family foundations, as at the date of obtaining the income,

b) 15% of revenue – in the range of revenue, which are not subject to taxation under point (a).

1a. (repealed)

1b. (repealed)

1c. (repealed)

1d. (repealed)

2. (repealed)

3. The flat-rate tax referred to in paragraph 1(2), (4)-(4b), (5a) and (13)-(17) shall be collected without deducting the costs of obtaining the income.

3a. The income referred to in paragraph 1(7a) is the difference between the amount representing the value of funds accumulated in an individual pension account and the sum of contributions to the individual pension account. This income shall not be reduced by losses on capital and property rights incurred in the tax year and in previous years.

3b. The income referred to in paragraph 1(7b) is the difference between the amount representing the value of funds accumulated in the OIPE sub-account within the meaning of Article 2(9) of the OIPE Act and the sum of payments made to that sub-account. This income shall not be reduced by losses from other sources incurred in the tax year and previous years.

4. (repealed)

5. (repealed)

6. (repealed)

7. (repealed)

8. The income (revenues) referred to in paragraph 1 shall not be combined with income taxed under the rules specified in Article 27.

9. The provisions of paragraph 1(2), (4) to (4b), (5a), (7a), (7b), (14a) and (17) shall apply taking into account double taxation agreements to which the Republic of Poland is a party. However, the application of the tax rate resulting from a double taxation agreement or the non-collection (non-payment) of tax in accordance with such an agreement is possible provided that the taxpayer documents his place of residence for tax purposes with a certificate of residence.

10. For income (revenues) taxed at a flat rate,

referred to in paragraph 1, the provisions of Article 21(1)(148) and (152)-(154) shall not apply.

Article 30a. 1. From obtained income (revenues) collected 19 % flat-rate income tax, subject to Article 52a:

1) on interest on loans, except where lending is the subject of economic activity;

2) on interest and discounts on securities, except for interest constituting income from the redemption by the issuer of bonds referred to in point 2a;

2a) on income from the redemption by the issuer of bonds on which periodic payments are due;

3) from interest or other income on cash accumulated in the taxpayer's account or in other forms of saving, storage or investment, conducted by an entity authorised under separate regulations, subject to Article 14(2)(5);

4) from dividends and other income from participation in the profits of legal persons;

5) from benefits received from the income of a capital fund, if the statutes provide for payments from such income to its participants without redemption, repurchase, buy-back or other destruction of participation titles in such a fund;

5a) on income from insurance contracts referred to in Article 24(15a);

6) on amounts paid after the death of a member of an open pension fund to a person designated by him or his heir:

   a) within the meaning of the provisions on the organisation and operation pension funds,

   b) from the sub-account referred to in Article 40a of the Act of 13 October 1998 on the social insurance system;

7) from the income of a member of an employee pension fund on account of the transfer of shares deposited in a quantitative account to the assets of that fund;

8) on the sale of pre-emptive rights to newly issued shares by an employee pension fund on behalf of a fund member;

9) on amounts paid on a one-off basis by an open pension fund to a fund member whose fund account was opened in connection with the death of his or her spouse;

9a) on lump sums paid by the Social Insurance Institution from the sub-account referred to in Article 40a of the Act of 13 October 1998 on the social insurance system in connection with the death of the insured person's spouse;

10) from the income of a saver in an individual pension account on account of a refund or partial refund, within the meaning of the provisions on individual pension accounts, of funds accumulated in that account;

10a) from income from the return of funds accumulated in the OIPE sub-account within the meaning of Article 2(9) of the OIPE Act;

11) from income of a participant in an employee pension scheme from the return of funds accumulated under the scheme, within the meaning of the provisions on employee pension schemes;

11a) on income of a participant in an employee capital plan obtained in connection with a payment made pursuant to Article 98 of the Act on Employee Capital Plans – to the extent that the participant in the employee capital plan has not repaid the funds paid out within the time limit specified in the agreement concluded with the selected financial institution;

11b) from the income of a participant in an employee capital plan on account of the payment of funds referred to in Article 99(1)(2) of the Act on Employee Capital Plans – if the payment is made in fewer than 120 monthly instalments, or as a lump sum payment – in the case specified in Article 99(2) of the Act on Employee Capital Plans;

11c) on the income of the spouse or former spouse of a participant in an employee capital plan on account of a refund made pursuant to Article 80(2) of the Act on Employee Capital Plans;

11d) on the income of a participant in an employee capital plan obtained from the return of accumulated funds made pursuant to Article 105 of the Act on Employee Capital Plans;

11e) from the income of a spouse or former spouse, on account of the payment of 75% of the funds transferred to them in the form of a transfer payment to a term savings account or term deposit account referred to in Article 80(2) of the Act on Employee Capital Plans, made after they reached the age of 60 – if this payment is made as a result of the liquidation of a term savings account or term deposit account or a change in the agreement for such an account;

11f) from the income of a participant in an employee capital plan on account of the payment of 75% of the funds accumulated in the employee capital plan account, which were transferred in the form of a transfer payment to a term savings account or term deposit account referred to in Article 102(3) of the Act on Employee Capital Plans – if this payment is made as a result of the liquidation of a term savings deposit account or a term deposit account, or if there is a change in the agreement for such an account;

12) from the guaranteed payment amount referred to in Article 25b of the Act of 17 December 1998 on pensions and disability pensions from the Social Insurance Fund;

13) from income from the receipt of assets in connection with the liquidation of a company that is not a legal person, the withdrawal of a partner from such a company or a reduction in the capital share in such a company, as a result of which the Republic of Poland loses the right to tax the income from the sale of these assets.

2. The provisions of paragraph 1(1)-(5), (10a) and (11a)-(11f) shall apply taking into account double taxation agreements to which the Republic of Poland is a party. However, the application of the tax rate resulting from the relevant double taxation agreement or the non-collection (non-payment) of tax in accordance with such an agreement is possible provided that the taxpayer's place of residence is documented for tax purposes by a certificate of residence obtained from the taxpayer.

2a. Income (revenues) from receivables referred to in section 1(2), (2a), (4) or (5), transferred to eligible taxpayers from securities recorded in collective accounts, whose identity has not been

the payer disclosed in accordance with the procedure provided for in the Act referred to in Article 5a(11), the tax referred to in paragraph 1 shall be collected by the payer at the rate specified in paragraph 1 on the total value of income (revenue) transferred by him to all such taxpayers through the holder of the collective account.

3. (repealed)

4. If it is not possible to identify the securities, when determining the discount or income from redemption by the bond issuer referred to in paragraph 1(2a), it shall be assumed that in each case the income was generated from the securities acquired earliest (FIFO). This provision shall apply separately to each investment account.

5. (repealed)

6. The flat-rate tax referred to in paragraph 1(1), (2), (3)-(5), (6), (8) and (9) shall be levied without deducting the costs of obtaining the income, subject to Article 24(5)(1) and (4), (5a), (5d) and (5e).

6a. The flat-rate tax calculated in accordance with paragraph 1(4) on income earned by a general partner from participation in the profits of a company referred to in Article 5a(28)(c) shall be reduced by an amount corresponding to the product of the general partner's percentage share in the profit of that company and the tax due on the income of that company, calculated in accordance with Article 19 of the Corporate Income Tax Act, for the tax year in which the income from the share in the profit was obtained.

6b. The amount of the reduction referred to in paragraph 6a may not exceed the amount of tax calculated in accordance with paragraph 1(4).

6c. The provisions of paragraphs 6a and 6b shall also apply where the income from participation in the profit of the company referred to in Article 5a(28)(c) for a given tax year is obtained by the general partner in a year other than the year following the given tax year, but not longer than for 5 consecutive tax years, counting from the end of the tax year following the year in which the profit was achieved.

6d. The provision of paragraph 6c shall apply accordingly to income tax on the general partner's income (revenue) from the liquidation of the company referred to in Article 5a(28)(c) or from its withdrawal from such a company.

6e. In the case of a general partner deriving income from the right to share in the profits of more than one company referred to in Article 5a(28)(c),

the reduction referred to in paragraph 6a shall apply to the tax on income obtained separately from each of these companies.

7. The income (revenue) referred to in paragraph 1 shall not be combined with income taxed under the rules specified in Article 27.

8. The income referred to in paragraph 1(10) is the difference between the amount representing the value of funds accumulated in an individual pension account and the sum of contributions to the individual pension account.

8a. The income in the case of a full refund preceded by partial refunds is the difference between the value of funds accumulated in the individual pension account on the date of the full refund and the sum of contributions to the individual pension account less the costs of partial refunds.

8b. In the case of a partial refund, the income is the amount of the refund less the costs attributable to that refund. The cost referred to in the first sentence is considered to be the product of the amount of the refund and the ratio of the total contributions to the individual pension account to the value of the funds accumulated in that account.

8c. In the event of another partial refund, the provisions of paragraphs 8a and 8b shall apply accordingly, except that to determining value of accumulated in an individual pension account, the current balance of funds in that account is taken into account. 8d. Income, referred to referred to in paragraphs 8–8c, shall not reduced the by losses from monetary capital and property rights incurred in the tax year and in previous years.

8e. The provisions of paragraphs 8–8d shall apply accordingly to the determination of income referred to referred to in paragraph 1(11).

8f. The income referred to in paragraph 1(10a) is the difference between the amount representing the value of funds accumulated in the OIPE sub-account within the meaning of Article 2(9) of the OIPE Act and the sum of payments made to that sub-account. This income shall not be reduced by losses from other sources incurred in the tax year and previous years.

9. Taxpayers referred to in Article 3(1) who obtain outside the Republic of Poland the revenues (income) specified in paragraph 1(1)-(5) shall deduct from the flat-rate tax calculated in accordance with paragraph 1, from that income (revenue), deduct an amount equal to the tax paid abroad, but this deduction may not exceed the amount of tax calculated on that income (revenue) at a rate of 19%.

10. (repealed)

11. The amounts of the flat-rate tax calculated on the income referred to in paragraph 1(1)-(5) obtained outside the Republic of Poland and the amount of tax paid abroad referred to in paragraph 9 shall be disclosed by taxpayers in the tax return referred to in Article 45(1) or (1a).

12. The income referred to in section 1(11a) is the amount of funds paid out but not repaid on time, less the cost of purchasing repurchased participation units or redeemed settlement units attributable to that unpaid repayment. The cost referred to in the first sentence shall be deemed to be the sum of the expenses incurred for the purchase of repurchased participation units or the sum of payments for redeemed settlement units from which payments were made pursuant to Article 98 of the Act on Employee Capital Plans, determined in such proportion as the amount of the outstanding repayment to the value of the funds paid out. The income arises on the day following the date on which the deadline for the repayment of the funds paid out, specified in the agreement referred to in Article 98(1) of the Act on Employee Capital Plans, expired.

13. The income referred to in mentioned in in section 1 point 11b, constitutes the amount of the payment from the repurchase of participation units or the redemption of settlement units, less the expenses for the purchase of the repurchased participation units or payments for the redeemed settlement units from which the payment was made.

14. The income, referred to in paragraph 1 point 11c, is the amount of the return from the repurchase of participation units or redemption of settlement units, less the expenses incurred for the purchase of repurchased participation units or payments for redeemed settlement units from which the return was made.

15. The income referred to in in section 1 point 11d, is the amount of the return from the repurchase of participation units or redemption of settlement units, less the expenses incurred for the purchase of the repurchased participation units or payments for the redeemed settlement units from which the return was made.

16. The income referred to in paragraph 1(11e) shall be the amount of the payment less the costs attributable to that payment, representing 75% of the expenditure on the purchase of repurchased participation units or 75% of the payments for redeemed settlement units

, from which the funds were transferred in the form of a transfer payment to a term savings account or a term deposit account.

17. The income referred to in paragraph 1(11f) shall be the amount of the payment less the costs attributable to that payment, constituting the expenses for the purchase of the repurchased participation units or payments for the redeemed settlement units, from which the funds were transferred in the form of a transfer payment to a term savings account or a term deposit account.

18. If the repurchased participation units were acquired or the redeemed settlement units were converted as a result of the conversion referred to in Article 2(1)(12) of the Act on Employee Capital Plans, the expenses for the purchase of repurchased participation units or payments for redeemed settlement units referred to in paragraphs 12-17, shall constitute expenses for the purchase of participation units or payments made for settlement units, in the amount of the expenses or payments for which the participation units were purchased or payments made for settlement units before the conversion.

19. The flat-rate tax, calculated in accordance with paragraph 1(4), on income earned by a partner from distributions of the company's profits achieved by that company during the period of lump-sum taxation of company income, in accordance with the provisions of Chapter 6b of the Corporate Income Tax Act, if they originate from the distribution of profits for that period separated in the company's equity, shall be reduced by the amount constituting:

1) 90% of the amount corresponding to the product of the shareholder's percentage share in the company's profit calculated as at the date of acquisition of the right to the distribution of profit and the lump sum due on the company's income from the distributed profit of that company from which the income was derived – in the case of income from distributed profits paid out of the company's profits taxed in accordance with Article 28o(1)(1) of the Corporate Income Tax Act, or

2) 70% of the amount corresponding to the product of the shareholder's percentage share in the company's profit calculated on the date of acquisition of the right to payment of the distributed profit and the lump sum due on the income of companies from the distributed profit of that company from which the income was obtained – in the case of income from distributed profit paid from the profits of the company

taxed in accordance with Article 28o(1)(2) of the Corporate Income Tax Act on legal persons.

20. The income referred to in paragraph 1(13) is the difference between the market value of the assets received, determined on the date of their receipt, and the expenses incurred for their acquisition or production, not included in any form in the tax-deductible costs of a partner or a company that is not a legal person, with the provisions of Article 19 and Article 22(8a) applying accordingly.

Article 30b. 1. From income obtained:

1) from the sale of securities or derivative financial instruments and from the exercise of rights arising therefrom,
2) the sale of shares,
3) the sale of shares in a cooperative,
4) from the acquisition of shares or contributions in a cooperative in exchange for a non-cash contribution,
5) from cancellation, repurchase, redemption or other destruction of participation in capital funds

– income tax is 19% of the income earned.

1a. Income tax is 19% of the income earned on the sale of virtual currencies is 19% of the income earned.

1b. Income from the sale of virtual currencies is the difference achieved in the tax year between the total revenue obtained from the sale of virtual currencies and the costs of obtaining revenue determined on the basis of Article 22(14)-(16).

2. The income referred to in paragraph 1 is:

1) the difference between the sum of revenues obtained from the sale of securities and the costs of obtaining revenues, determined on the basis of Article 22(1f), (1g) or (1gc) or Article 23(1)(38), subject to Article 24(13) and (14),
2) the difference between the total revenue obtained from the exercise of rights arising from securities referred to in Article 3(1)(b) of the Act of 29 July 2005 on Trading in Financial Instruments and the tax-deductible costs determined on the basis of Article 23(1)(38a),

3) the difference between the total revenue obtained from the sale of derivative financial instruments and from the exercise of rights arising therefrom and the tax-deductible costs determined on the basis of Article 23(1)(38a),

4) the difference between the total revenue obtained from the sale of shares (stocks) or shares in a cooperative and the tax-deductible costs determined on the basis of Article 22(1f) and Article 23(1)(38) and (38c),

5) the difference between the income determined in accordance with Article 17(1)(9) and the tax-deductible costs determined on the basis of Article 22(1e),

6) the difference between the income obtained from the sale of shares in a capital company established as a result of the transformation of an entrepreneur who is a natural person into a single-member capital company and the tax-deductible costs determined on the basis of Article 22(1ł),

7) the difference between the sum of income obtained from the redemption, repurchase, buy-back or destruction in another manner of titles of participation in capital funds and the costs of obtaining income, determined on the basis of Article 23(1)(38)

– achieved in the tax year.

3. The provisions of paragraphs 1 and 1a shall apply taking into account double taxation agreements to which the Republic of Poland is a party. However, the application of the tax rate resulting from the relevant double taxation agreement or non-payment of tax in accordance with such an agreement is possible provided that the taxpayer's place of residence is documented for tax purposes by a certificate of residence obtained from the taxpayer.

4. The provision of paragraph 1 shall not apply if the sale of shares, cooperative shares, securities and derivative financial instruments and the exercise of rights arising therefrom, as well as the redemption, repurchase, buy-back or other destruction of participation titles in capital funds takes place in the course of business activity.

5. The income referred to in paragraph 1 shall not be combined with income taxed in accordance with the rules set out in Articles 27 and 30c.

taxed in accordance with the rules set out in Articles 27 and 30c.

5a. If a taxpayer referred to in Article 3(1) earns income referred to in paragraph 1 both within the territory of the Republic of Poland and outside its borders, such income shall be combined and an amount equal to the income tax paid abroad shall be deducted from the tax calculated on the total income.

However, this deduction may not exceed that part of the tax calculated before the deduction which is proportionate to the income earned abroad.

5b. In the case of a taxpayer referred to in Article 3(1) who obtains the income referred to in paragraph 1 exclusively outside the territory of the Republic of Poland, the rule specified in paragraph 5a shall apply accordingly.

5c. (repealed)

5d. Income from the sale of virtual currencies shall not be combined with income taxed under the rules specified in paragraph 1 and in Article 27 or Article 30c.

5e. If a taxpayer referred to in Article 3(1) derives income from the sale of virtual currencies both within and outside the territory of the Republic of Poland, such income shall be combined and an amount equal to the income tax paid abroad shall be deducted from the tax calculated on the total income. However, this deduction may not exceed that part of the tax calculated before the deduction which is proportionate to the income earned abroad.

5f. In the case of a taxpayer referred to in Article 3(1) who obtains income from the sale of virtual currencies exclusively outside the territory of the Republic of Poland, the rule specified in paragraph 5e shall apply accordingly.

6. After the end of the tax year, the taxpayer shall be required to disclose in the tax return referred to in Article 45(1a)(1) the income referred to in paragraphs 1 and 1a obtained during the tax year and to calculate the income tax due.

6a. In the tax return referred to in Article 45(1a)(1), the taxpayer shall disclose the tax-deductible costs referred to in Article 22(14)-(16), even if they did not generate any income from the sale of virtual currencies during the tax year.

7. If it is not possible to identify redeemed, repurchased, bought back or destroyed in any other manner titles of participation in capital funds, when determining income, it shall be assumed that in each case the income was generated from titles of participation in capital funds acquired earliest (FIFO). This provision shall apply separately to each investment account.

7a. The provision of paragraph 7 shall apply accordingly to other income referred to in paragraph 1, and to income referred to in paragraph 1b.

8. (repealed)

Art. 30c. 1. Income tax on income from non-agricultural economic activity or special sections of agricultural production obtained by taxpayers referred to in Art. 9a(2) or (7), subject to Art. 29 and Art. 30, shall be 19% of the tax base.

2. The tax base referred to in paragraph 1 shall be the income determined in accordance with Article 9(1), (2)-(3b) and (5), Article 24(1), (2), 3b–3e and the first sentence of paragraph 4, or Article 24b(1) and (2), or Article 23o. Taxpayers may reduce this income by:

1) social security contributions specified in Article 26(1)(2)(a) and (2a);
2) health insurance contributions paid in the tax year pursuant to the Act of 27 August 2004 on healthcare services financed from public funds:
   a) for non-agricultural economic activity taxed in accordance with paragraph 1,
   b) for persons cooperating with a taxpayer taxed in the manner specified in paragraph 1

   – provided that the total amount of these contributions included in tax-deductible costs or deducted from income may not exceed $PLN\ 8,700$ in a tax year[7)] ;
3) contributions to an individual pension security account specified in Article 26(1)(2b);
4) the donation referred to in Article 26(1)(9)(d), in the amount of the donation made, but not more than 6% of income.

2a. The amount of contributions and payments referred to in paragraph 2 shall be determined on the basis of documents confirming their payment.

2b. The amount referred to in paragraph 2(2) and Article 23(1)(58) shall be increased annually by an index corresponding to the quotient of the amount of the limitation of the annual basis for calculating pension and disability insurance contributions, announced in the previous year pursuant to Article 19(10) of the Act of 13 October 1998 on the social insurance system, and the amount of the reduction in the annual basis for calculating these contributions announced two years earlier, rounded up to the nearest PLN 100.

2c. The minister responsible for public finance shall announce, by the end of the year preceding the tax year, by way of a notice in the Official Journal of the Republic of Poland "Monitor Polski", the amount referred to in paragraph 2(2) and Article 23(1)(58), increased in accordance with paragraph 2b.

3. Social security contributions referred to in Article 26(1)(2) and (2a), health insurance contributions referred to in paragraph 2(2), payments to an individual pension security account specified in Article 26(1)(2b) and donations made for vocational training purposes specified in Article 26(1)(9)(d) are deductible from income if they have not been:

1) included in tax-deductible costs or

2) deducted from income taxed in accordance with the rules specified in Article 27, or

3) deducted from income on the basis of the Act on flat-rate income tax

or

4) returned to the taxpayer in any form.

3a. The provisions of Articles 26(5), (6), (6b), (6c), (6ea), (6eb), (6f), (7), (13b) , (13c) and (15) shall apply accordingly.

3b. Deductions for payments to an individual pension security account referred to in paragraph 2 shall be made in the tax return.

4. If a taxpayer referred to in Article 3(1) also earns income from activities performed outside the territory of the Republic of Poland or from sources of income located outside the territory of the Republic of Poland, and this income is not exempt from taxation under a double taxation agreement or if the Republic of Poland has not concluded a double taxation agreement with the country in which the income is earned, this income shall be combined with income from sources located in the territory of the Republic of Poland. In this case, an amount equal to the income tax paid in a foreign country is deducted from the tax calculated on the total income. However, this deduction may not exceed that part of the tax calculated before the deduction which is proportionate to the income earned in a foreign country.

5. In the case of a taxpayer referred to in Article 3(1) who derives income exclusively from activities performed outside the territory of the Republic of Poland or from sources of income located outside the territory of the Republic of Poland, which are not exempt from income tax under a double taxation agreement, or where the Republic of Poland has not concluded a double taxation agreement with the country in which the income is earned, the rule set out in paragraph 4 shall apply accordingly.

6. Income from non-agricultural economic activity or special sections agricultural production, taxed in the manner specified in paragraph 1, shall not be combined

with income taxed according to the rules specified in Articles 27, 30b, 30ca, 30da, 30e and 30f.

Article 30ca. 1. The tax on qualified income from qualified intellectual property rights earned by a taxpayer in the course of non-agricultural economic activity shall be 5% of the tax base.

2. Qualified intellectual property rights are:

1) patent,
2) protection right for a utility model,
3) right from the registration of an industrial design,
4) the right to register an integrated circuit topography,
5) additional protection right for a patent for a medicinal product or plant protection product plant protection product,
6) right from registration a medicinal product and and veterinary medicinal product veterinary medicinal products authorised for marketing,
7) the exclusive right referred to in the Act of 26 June 2003 on the legal protection of plant varieties (Journal of Laws of 2021, item 213),
8) copyright to a computer programme

– subject to legal protection under separate laws or ratified international agreements to which the Republic of Poland is a party, and other international agreements to which the European Union is a party, whose subject matter of protection has been created, developed or improved by the taxpayer as part of their research and development activities.

3. The basis for tax base is the sum of income from eligible intellectual property rights earned in the tax year.

4. The amount of eligible income from eligible intellectual property rights is determined as the product of the income from eligible intellectual property rights earned in the tax year and the index calculated according to the formula:

$$\frac{(a + b) * 1.3}{a + b + c + d}$$

where individual letters denote the costs actually incurred by the taxpayer for:

a – research and development activities conducted directly by the taxpayer

-development activities related to eligible property rights intellectual

,

b – acquisition of the results of research and development work related to qualified intellectual property rights, other than those referred to in point (d), from an unrelated entity within the meaning of Article 23m(1)(3),

c – acquisition of the results of research and development work related to eligible intellectual property rights, other than those listed in point (d), from a related entity within the meaning of Article 23m(1)(4),

d – acquisition by of a taxpayer of a qualified intellectual property right intellectual property.

5. The costs referred to in paragraph 4 shall not include costs that are not directly related to a qualified intellectual property right , in particular interest, financial charges and costs related to real estate.

6. If the value of the ratio referred to in paragraph 4 is greater than 1, it shall be assumed that this value is 1.

7. Income (loss) from a qualifying intellectual property right is calculated in accordance with Article 9(2) as income (loss) from non-agricultural economic activity to the extent that it was generated:

1) from fees or charges arising from a licence agreement relating to a qualifying intellectual property right;
2) from the sale of a qualifying intellectual property right;
3) from a qualifying intellectual property right included in the price the sale of a product or service;
4) from compensation for infringement of rights arising from a qualifying intellectual property right, if obtained in litigation, including court or arbitration proceedings.

8. For the purposes of determining the income (losses) referred to in paragraph 7(3), the provisions of Articles 23o and 23p shall apply accordingly.

9. Where it is not possible to determine the income attributable to individual qualifying intellectual property rights, the taxpayer may calculate the qualifying income from a qualifying intellectual property right in accordance with paragraphs 4 to 6 for the same type of product or service or for the same group of products or services in which the qualifying intellectual property right was used.

9a. The taxpayer may deduct from the income from a qualifying intellectual property right the qualifying costs specified in Article 26e(2)-(3b) which led to the creation, development or improvement of that right by the taxpayer, with the provisions of Article 26e(1), second sentence, and (3c)-(10) applying accordingly.

10. The amount of the loss from eligible intellectual property rights incurred in a tax year shall be reduced by the income earned in the next five consecutive tax years from the same eligible intellectual property right, the same type of product or service, or the same group of products or services in which the eligible intellectual property right was used.

11. Taxpayers benefiting from taxation in accordance with paragraph 1 shall be required to report income (loss) from a qualifying intellectual property right in their tax return for the tax year in which that income was earned (loss incurred).

12. The provisions of paragraphs 1–11 shall apply accordingly to the expectation of obtaining a qualified intellectual property right in connection with the notification or submission of an application for such a protective right to the competent authority, from the date of notification or submission of the application.

13. In the event of withdrawal of the application or request, refusal to grant the protection right, rejection of the application or rejection of the request for registration, the taxpayer shall be obliged to tax, in accordance with Article 27 or Article 30c, the qualified income from intellectual property rights obtained in the period from the date of the application or request referred to in paragraph 12 until the date of withdrawal of the application or notification, refusal to grant protection rights, rejection of the notification or rejection of the application for registration. In this case, the tax paid on the basis of paragraph 1 shall be deducted from the tax calculated on the total amount of income.

14. The provisions of paragraphs 1-13 shall apply accordingly to income from licences to use eligible intellectual property rights vested in the taxpayer on the basis of an agreement which reserves the exclusive right of use of such rights to the taxpayer, provided that the taxpayer has previously conducted research and development workresulting in the qualified intellectual property right for which the licence was granted.

Art. 30cb. 1. Taxpayers subject to taxation under Art. 30ca are required to:

1) separate each qualified right of intellectual property in their accounting records;
2) keep accounting records in a manner that ensures the determination of revenue, tax-deductible costs and income (loss) attributable to each eligible intellectual property right;
3) separate the costs referred to in Article 30ca(4) attributable to each eligible intellectual property right in a manner that ensures the determination of eligible income;
4) make entries in the accounting books in a manner ensuring the determination of the total income from eligible intellectual property rights – if the taxpayer uses more than one eligible intellectual property right and it is not possible to meet the conditions referred to in points 2 and 3 in the accounting books;
5) make entries in the accounting books in a manner ensuring the determination of income from eligible intellectual property rights in relation to that product or service or those products or services – where the taxpayer uses one eligible intellectual property right or more than one such right in a product or service or in products or services, and it is not possible to meet the conditions referred to in points 2-4 in the accounting records kept.

2. Taxpayers keeping a tax revenue and expense ledger shall show the information referred to in paragraph 1 in separate records.

3. Where it is not possible to determine the income (loss) from eligible intellectual property rights on the basis of the accounting books or records referred to in paragraph 2, the taxpayer shall be obliged to pay tax in accordance with Article 27 or Article 30c.

Article 30d. (repealed)

Art. 30da. 1. The tax on income from unrealised gains shall amount to:

1) 19% of the tax base – when the tax value of the asset is determined;
2) 3% of the tax base – when the tax value of the asset is not determined.

2. Taxation tax on income from unrealised profits

The following are subject to taxation:

1) the transfer of an asset outside the territory of the Republic of Poland, as a result of which the Republic of Poland loses the right to tax the income from the sale of that asset, while the transferred asset remains the property of the same entity;

2) change of residence tax by taxpayer subject to unlimited tax liability in the Republic of Poland, as a result of which the Republic of Poland loses the right to tax income from the sale of an asset owned by that taxpayer in connection with the transfer of his place of residence to another country.

3. In the case of assets not related to economic activity, only the following assets are subject to taxation on income from unrealised gains in the case referred to in paragraph 2(2): all rights and obligations in a company that is not a legal person, shares in a company, shares and other securities, derivative financial instruments and participation titles in capital funds, hereinafter referred to as "personal assets", if the taxpayer has been resident in the territory of the Republic of Poland for a total of at least five years in the ten-year period preceding the date of change of tax residence.

4. Transfer of an asset outside the territory of the Republic of Poland,

referred to in paragraph 2(1) shall include, in particular, a situation where:

1) the taxpayer referred to in Article 3(1) transfers to its foreign establishment an asset previously related to economic activity conducted in the territory of the Republic of Poland;

2) the taxpayer referred to in Article 3(2a) transfers to their country of tax residence or to a country other than the Republic of Poland, where they conduct business activity through a foreign establishment, an asset previously related to business activity conducted in the territory of the Republic of Poland by a foreign establishment;

3) the taxpayer referred to in Article 3(2a) transfers to another country all or part of the business activity previously conducted through a foreign establishment located in the territory of the Republic of Poland.

5. Taxation with tax on income from unrealised profits

as a result of the change of tax residence referred to in paragraph 2(2), does not apply to

assets which, after the change of tax residence, remain connected with the foreign establishment of the taxpayer who changed their tax residence, located in the territory of the Republic of Poland.

6. The date of transfer of an asset outside the territory of the Republic of Poland shall be the day preceding the day on which the asset ceases to be assigned to activities conducted in the territory of the Republic of Poland, including through a foreign establishment.

7. Income from unrealised gains is the surplus of the market value of the asset determined on the date of its transfer or on the day preceding the date of change of tax residence over its tax value.

8. The market value of an asset is determined:

1) pursuant to Article 19 paragraph 3 – in the case of assets personal assets and assets whose transfer does not involve a change in economically significant functions, assets or risks;

2) in accordance with Article 23o – in other cases.

9. The market value of the taxpayer's assets covered by marital joint property is determined for each spouse as half of the market value of those assets.

10. The tax value of an asset is the value not previously included in tax-deductible costs in any form, which would be accepted by the taxpayer as a tax-deductible cost if the asset had been sold by him for consideration. The tax value of an asset is not determined if, in accordance with separate regulations, the costs of obtaining income from the sale of that asset are not taken into account for income tax purposes.

11. If adopted by taxpayer to taxation income from unrealised gains the value of an asset without justified economic reasons deviates from its market value and, as a result, the taxpayer does not report income from unrealised gains or reports such income at an understated amount, the taxpayer's income and the tax due on income from unrealised gains are determined by the tax authority.

12. The tax base for tax on income from unrealised gains is the sum of income from unrealised gains determined for individual assets. In the case of a transfer of an enterprise

or an organised part thereof, the income from unrealised gains shall relate to the entire enterprise (or its organised part).

13. If the taxpayer referred to in Article 3(1) also earns income (revenues) outside the territory of the Republic of Poland and this income is subject to taxation in a foreign country with a tax equivalent to the tax on income from unrealised profits, income (revenues) this is combined with income (revenues) earned in the territory of the Republic of Poland. In this case, an amount equal to the tax paid in a foreign country is deducted from the tax calculated on the total income. However, the amount of the deduction may not exceed that part of the tax calculated before the deduction which is proportionate to the income earned in the foreign country.

14. Taxpayers are required to submit declarations to tax offices, in accordance with the established template, on the amount of income from unrealised gains by the 7th day of the month following the month in which the total market value of the transferred assets exceeded PLN 4,000,000, and to pay the tax due within that period. If, after the month in which the total market value of the transferred assets exceeded PLN 4,000,000, further assets are transferred, taxpayers are required to submit a declaration by the 7th day of the month following the month in which the assets are transferred and to pay the tax due by that date.

Art. 30db. 1. The provisions of Art. 30da shall not apply if the total market value of the transferred assets does not exceed PLN 4,000,000.

2. In the case of spouses referred to in Article 30da(9), the market value limit of the asset specified in paragraph 1 applies to both spouses jointly.

Article 30dc. 1. Taxation on income from unrealised gains shall not apply to assets transferred outside the territory of the Republic of Poland for a specified period not exceeding 12 months, where:

1) the transfer of that asset is directly related to the liquidity management policy of the taxpayer's enterprise located in the territory of the Republic of Poland and the territory of another country;
2) the transfer of securities or other assets is based on a transfer agreement for the purpose of securing a claim.

2. In the case referred to in paragraph 1, the taxpayer shall be obliged to declare in the tax return referred to in Article 45(1) and (1a)(2) the market value

market value of the assets temporarily transferred in the tax year for which the return is being filed, and the expected date of their transfer back to the territory of the Republic of Poland, if these assets remain outside the territory of the Republic of Poland on the date of filing the return.

3. If, within 12 months from the first month following the month in which the asset was transferred outside the territory of the Republic of Poland, a company that is not a legal person and which transferred the asset was taken over by a company or the taxpayer transformed the form of its business into a single-member capital company, the market value of the asset, previously declared as temporarily transferred outside the territory of the Republic of Poland, shall be subject to taxation in accordance with Article 30da(1).

4. In the case referred to in paragraph 3, the taxpayer is obliged to submit a declaration of income from unrealised gains to the tax office within 7 days of the date of acquisition or transformation and to pay the tax due within that period.

5. If the value of the asset referred to in paragraph 3 and the value of the assets referred to in Article 30db(1) exceed a total of PLN 4,000,000, the taxpayer shall be required to declare all transferred assets for taxation in the declaration referred to in paragraph 4.

Article **30dd.** 1. Income from unrealised
gains:

1) assets transferred for the purposes specified in Article 4 of the Act on Public Benefit Activity to organisations equivalent to those referred to in Article 3(2) and (3) of that Act, as defined in the provisions regulating public benefit activity, in force in a Member State of the European Union other than the Republic of Poland or another country belonging to the European Economic Area, conducting public benefit activities in the sphere of public tasks, pursuing these objectives – where the taxpayer has no rights to share in the profits or assets of that organisation;
2) assets intended for the official use of employees, directly related to their work, not constituting fixed or current assets within the meaning of accounting regulations.

2. Tax exemptions and deferrals specified in Articles 21 and 24 shall not apply to tax on income from unrealised gains.

Art. 30de. 1. A taxpayer may apply to the competent head of the tax office for the payment of all or part of the tax on income from unrealised gains to be spread over instalments for a period not exceeding 5 years from the end of the tax year in which the obligation to pay it arose, if the transfer of assets or the transfer of tax residence takes place within the territory of a Member State of the European Union or another country belonging to the European Economic Area which is a party to an agreement concluded with the Republic of Poland or the European Union on mutual assistance in the recovery of tax claims, equivalent to the mutual assistance provided for in Council Directive 2010/24/EU of 16 March 2010 concerning mutual assistance for the recovery of claims relating to taxes, duties and other measures (OJ EU L 84 of 31 March 2010, p. 1).

2. Where there is a real risk of non-recovery of tax on income from unrealised gains, the payment of all or part of that tax in instalments shall be subject to the taxpayer providing security for the performance of the tax obligation in question, together with a deferral fee in the form provided for in the Tax Ordinance for security for the performance of tax obligations.

3. When assessing whether there is a real risk of not recovering tax on income from unrealised profits, particular consideration is given to whether:

1) the balance sheet value of the taxpayer's liabilities in the last three tax years did not exceeded 50% of the carrying amount of his assets;
2) the taxpayer properly settled their personal income tax liabilities, including their obligations as a payer of income tax on receivables paid for the reasons listed in Article 12(1) and (6), Article 13(2) and (4)-(9) and Article 18, and if there were any arrears in these payments, whether they constituted a significant amount that could affect the assessment of the taxpayer's solvency and reliability;
3) (repealed)
4) in the last 5 tax years, proceedings based on the provisions regulating tax avoidance or evasion were or are pending against the taxpayer on the date of submitting the application for payment of tax in instalments;

5) the granting of guarantees and sureties by the taxpayer to related entities within the meaning of Article 23m paragraph 1 point 4 is justified economically and financially;

6) related entities within the meaning of Article 23m(1)(4) with the taxpayer are not at risk of bankruptcy or liquidation due to insolvency.

4. Security for the performance of the obligation referred to in paragraph 2, in the form of a guarantee or surety, may be provided by an entity having its place of residence, registered office or management in a Member State of the European Union or in another country belonging to the European Economic Area, whose financial and asset situation gives grounds to believe that it is capable of fulfilling the obligations arising from that guarantee or surety.

5. The payment of tax on income from unrealised gains in instalments shall be made by way of a decision in which the tax authority shall, in particular:

1) determines the amount and dates of instalment payments and the amount of the extension fee;

2) informs about the circumstances resulting in the expiry of the decision and making the tax liability on income from unrealised gains due and payable.

6. The decision referred to in paragraph 5 shall expire if:

1) the taxpayer disposes, in any form, of assets transferred outside the territory of the Republic of Poland, including those assigned to a foreign establishment located outside the territory of the Republic of Poland;

2) assets transferred outside the territory of the Republic of Poland, including those assigned to a foreign establishment, are transferred again to a country other than a Member State of the European Union, unless the transfer is to a country belonging to the European Economic Area which is a party to an agreement concluded with the Republic of Poland or the European Union on mutual assistance in the recovery of tax claims , equivalent mutual assistance provided for in Council Directive 2010/24/EU of 16 March 2010 concerning mutual assistance for the recovery of claims relating to taxes, duties and other measures;

3) the taxpayer changes their tax residence again to a tax residence in a country other than a Member State of the European Union, unless the change of tax residence is to a country belonging to the European Economic Area which is a party to an agreement concluded with the Republic of Poland

or the European Union on mutual assistance in the recovery of tax claims, equivalent to the mutual assistance provided for in Council Directive 2010/24/EU of 16 March 2010 concerning mutual assistance for the recovery of claims relating to taxes, duties and other measures;

4) the taxpayer or the entity that provided the taxpayer with security for the performance of the tax obligation referred to in paragraph 2 in the form of a guarantee or surety becomes bankrupt;

5) the taxpayer fails to meet the payment deadline for any of the instalments or extension fees extension fee.

7. During the period of spreading the tax on income from unrealised gains into instalments, the taxpayer is obliged to submit, on the last day of each calendar year, information on the occurrence or non-occurrence of the events referred to in paragraph 6(1)-(4). The information shall be submitted to the head of the tax office who issued the decision referred to in paragraph 5, by the 7th day of the first month following the calendar year to which the information relates.

8. In the event of a change of tax residence, the competent head of the tax office referred to in paragraph 1 shall be the head of the tax office competent in matters of taxation of foreign persons.

9. In matters not covered by paragraphs 1–8, the provisions of the Tax Ordinance shall apply Tax Ordinance shall apply.

Article 30df. 1. If, within 5 years from the end of the tax year in which the taxpayer transferred an asset outside the territory of the Republic of Poland, the taxpayer transfers it back to the territory of the Republic of Poland, the taxpayer may apply for a refund of tax on income from unrealised gains in the part attributable to that asset.

2. If, within 5 years from the end of the tax year in which they changed their tax residence, the taxpayer again becomes a person referred to in Article 3(1), they may apply for a refund of the tax paid on income from unrealised gains. The refund does not apply to tax attributable to assets that remain connected with the taxpayer's foreign establishment located outside the Republic of Poland.

Art. 30dg. 1. If, pursuant to Art. 22(1n)(1), (1na) or Art. 22g(1)(7) or (8), the taxpayer includes in the tax-deductible costs the market value

of an asset determined in a Member State of the European Union for the purposes of taxation with a tax equivalent to to tax on income from unrealised gains, that taxpayer shall be required to attach to the tax return
referred to in Article 45(1) and (1a)(2), information, in accordance with the established template, on the market value of this component. The taxpayer is required to attach to this information a document issued or confirmed by the competent authority of the state referred to in the first sentence, on the market value of this component.

2. The information referred to in paragraph 1 shall be submitted for the tax year in which the taxpayer included in the tax-deductible costs the market value of an asset determined by a Member State of the European Union other than the Republic of Poland.

3. The head of the tax office may determine the market value of the taxpayer's asset referred to in paragraph 1 at an amount other than that adopted for the purposes of taxation with tax equivalent to tax on income from unrealised gains, if that value is higher than the market value.

Art. 30dh. 1. Where the transferor of an asset is a company that is not a legal person, the provisions of Art. 30da–30dg shall apply to taxpayers who have rights to participate in the profits of such a company. In such a case, the provisions of Art. 8(1) shall apply accordingly.

2. Whenever paragraph 1 and Articles 30da–30dg refer to an asset, this shall also be understood to mean an enterprise or an organised part of an enterprise.

3. The provisions of paragraphs 1 and 2, Articles 30da–30dg shall apply accordingly to:

1) the transfer free of charge to another entity located in the territory of the Republic of Poland of an asset,

2) contributing an asset to an entity other than a company or cooperative

– if, in connection with such transfer or contribution, the Republic of Poland loses the right to tax the income from the disposal of that asset.

Art. 30di. (repealed)

Art. 30e. 1. Income tax on the income from the sale of real estate and rights specified in Art. 10(1)(8)(a–c) shall be 19% of the tax base.

2. The tax base referred to in paragraph 1 shall be the income representing the difference between the revenue from the sale of real estate or rights

determined in accordance with Article 19, and the costs determined in accordance with Article 22(6c) and (6d), increased by the sum of depreciation write-offs referred to in Article 22h(1)(1) made on the real estate or rights being sold.

3. In the case of a sale by way of exchange of real estate or rights specified in Article 10(1)(8)(a)-(c), the income shall be determined for each party to the agreement in accordance with the rules referred to in paragraph 2.

4. After the end of the tax year, the taxpayer shall be required to disclose in the tax return referred to in Article 45(1a)(3):

1) income obtained in the tax year from the sale of real estate and property rights specified in Article 10(1)(8)(a)-(c) and calculate the income tax due on income to which Article 21(1)(131) does not apply, or

2) income referred to in Article 21(1)(131).

5. Income from the sale of real estate and property rights specified in Article 10(1)(8)(a)-(c) shall not be combined with income (revenues) from other sources.

6. The provisions of paragraphs 1-4 shall not apply if:

1) the construction and sale of residential buildings or residential premises and the sale of land and perpetual usufruct rights to land are the subject of the taxpayer's economic activity;

2) the income from the sale of real estate and rights constitutes income from economic activity or from special types of agricultural production within the meaning of Article 14(2)(1).

7. In the event of failure to meet the conditions specified in Article 21(1)(131), the taxpayer shall be obliged to submit a correction to the return referred to in Article 45(1a)(3) and to pay the tax together with interest for late payment; interest shall be calculated from the day following the expiry of the payment deadline referred to in Article 45(4)(4) up to and including the date of payment of the tax.

8. If the taxpayer referred to in Article 3(1) also earns income specified in paragraph 1 outside the territory of the Republic of Poland, and this income is not exempt from taxation under a double taxation agreement or if the Republic of Poland has not concluded a double taxation agreement with the country in which the income is earned, the Republic of Poland has not concluded a double taxation agreement, such income shall be combined with income earned within the territory of the Republic of Poland. In this case, the amount of

equal to the income tax paid in a foreign country. However, this deduction may not exceed that part of the tax calculated before the deduction which is proportionate to the income earned in a foreign country.

9. In the case of a taxpayer referred to in Article 3(1) who earns income specified in paragraph 1 exclusively outside the territory of the Republic of Poland, which is not exempt from income tax under a double taxation agreement, or where the Republic of Poland has not concluded a double taxation agreement with the country in which the income is earned, the Republic of Poland has not concluded a double taxation agreement, the rule specified in paragraph 8 shall apply accordingly.

Article 30f. 1. The tax on the income of a foreign controlled entity earned by a taxpayer referred to in Article 3(1) shall be 19% of the tax base.

2. The terms used in this Article shall have the following meanings:

1) foreign entity – means:
   a) a legal person,
   b) a capital company in organisation,
   c) an organisational unit without legal personality other than a company without legal personality,
   d) a company without legal personality referred to in Article 1(3)(2) of the Corporate Income Tax Act,
   e) a foundation, trust or other entity or legal relationship of a fiduciary nature,
   f) a tax capital group or a company from a tax capital group which would independently meet the condition referred to in paragraph 3(3)(c) if it were not part of a tax capital group,
   g) an organisationally or legally separate part of a foreign company or other entity with or without legal personality

   – without a registered office, management board or registration in the territory of the Republic of Poland, in which the taxpayer referred to in Article 3(1), alone or jointly with related entities or other taxpayers having their place of residence or registered office or management board in the territory of the Republic of Poland, holds, directly or indirectly, a share in the capital, voting rights in supervisory, decision-making or management bodies, or the right to participate

in profits, including their expectancy, or in which he will be entitled to acquire such rights in the future, including as a founder (settlor) or beneficiary of a foundation, trust or other entity or legal relationship of a fiduciary nature, or over which the taxpayer exercises actual control;

1a) the right to participate in profits – also means the right to obtain funds belonging to a foreign entity in connection with its liquidation, the right to receive a cash or non-cash benefit, including its expectancy, as a founder (settlor) or beneficiary of a foundation, trust or other entity or legal relationship of a fiduciary nature, or an expectancy to obtain profits of a foreign entity generated or obtained in the future;

1b) actual control – means control which, taking into account the factual circumstances, allows for the exercise of a dominant influence on the functioning of a foreign entity through influence on decision-making at the highest level in matters concerning the foreign entity or the ability to direct or influence its day-to-day operations, whereby actual control results in particular from contractual relationships, including, inter alia, the agreement establishing the foreign entity, a court decision or other document regulating the establishment or operation of that entity, powers of attorney granted or actual relationships between the foreign entity and the taxpayer;

2) financial instruments – means financial instruments listed in Article 2 of the Act of 29 July 2005 on trading in financial instruments;

3) subsidiary – means an entity referred to in Article 3(1) of the Corporate Income Tax Act, or a foreign entity that does not meet the conditions specified in paragraph 3(3)(b) and (c), point 4(b)-(d) or point 5(b)-(d), in which the taxpayer holds, directly or indirectly, at least 50% of the shares in the capital, or at least 50% of the voting rights in the supervisory, decision-making or management bodies, or at least 50% of the rights to participate in the profits;

4) related entity – means:

   a) a legal person or an organisational unit without legal personality in which the taxpayer holds, directly or indirectly, at least 25% of the shares in the capital or at least 25% of the voting rights in the

controlling, decision-making or management bodies, or at least 25% of the right to participate in the profits,

b) the taxpayer's spouse, as well as his relatives up to the second degree,

c) a legal person or an organisational unit without legal personality in which the entity referred to in point (b) holds, directly or indirectly, at least 25% of the capital or at least 25% of the voting rights in the supervisory, decision-making or management bodies, or at least 25% of the rights to participate in profits.

2a. Where, on the basis of the facts, it cannot be established that the entity referred to in paragraph 2(1)(e) meets the conditions for being considered a foreign entity, that entity shall be presumed to be a foreign entity if the taxpayer is the founder or settlor of that entity and, whether for consideration or free of charge, transferred assets to that entity, unless the founder (benefactor) proves that he has definitively and irrevocably disposed of the entrusted assets. In such a case, the entity referred to in paragraph 2(1)(e) shall be considered a foreign entity if the taxpayer is or may become a beneficiary of that entity.

2b. A foreign establishment of a foreign entity in any form may also be considered a foreign entity. of a foreign entity in any form.

3. A controlled foreign entity is:

1) a foreign entity having its registered office or management board or being registered or located in the territory or country specified in the regulations issued pursuant to Article 23v(2) or in the announcement of the minister responsible for public finance issued pursuant to Article 86a § 10 of the Tax Ordinance, or

2) a foreign entity having its registered office or management board or registered or located in a country other than those specified in point 1, with which:

a) the Republic of Poland Poland has not has ratified an international agreement, in particular a double taxation agreement, or

b) the European Union has not ratified an international agreement

– constituting the basis for obtaining

tax information, or

3) a foreign entity meeting all of the following conditions:

a) in that entity, the taxpayer referred to in Article 3(1), alone or jointly with related entities or other taxpayers having

place of residence or registered office or management board on the territory of the Republic of Poland, holds directly or indirectly more than 50% of shares in the capital or more than 50% of voting rights in the supervisory, decision-making or management bodies, or more than 50% of the rights to participate in profits, or exercises actual control over a foreign entity,

b) at least 33% of the income of that entity earned in the tax year referred to in paragraph 7 comes from:

- from dividends and other income from participation in the profits of legal persons,
- from the sale of shares in a company, all rights and obligations in a company that is not a legal person, participation titles in an investment fund, collective investment institution or other legal person, and rights of a similar nature,
- from receivables,
- from advisory, accounting, market research, legal, advertising, management and control, data processing, employee recruitment and personnel acquisition services and similar services,
- from rental, subletting, lease, sublease and other agreements of a similar nature,
- from interest and benefits on all types of loans,
- from the interest portion of the lease instalment,
- from sureties and guarantees,
- from copyrights or industrial property rights, including from the disposal of such rights,
- from copyrights or industrial property rights included in the sale price of the product or service,
- from the disposal and exercise of rights arising from financial instruments,
- insurance, banking or other financial activities financial activities,
- from transactions with related entities, where the entity does not generate economic value added in connection with these transactions or where this value is negligible,

c) the income tax actually paid by that entity is at least 25% lower than the corporate income tax that would be due from it using the tax rate referred to in Article 19

paragraph 1(1) of the Corporate Income Tax Act, if that entity were a taxpayer referred to in Article 3(1) of the Corporate Income Tax Act, where the tax actually paid means tax that is not refundable or deductible in any form, including to another entity, or

4) a foreign entity meeting all of the following conditions:

a) in that entity, the taxpayer referred to in Article 3(1), alone or jointly with related entities or other taxpayers having their place of residence or registered office or management in the territory of the Republic of Poland, holds directly or indirectly more than 50% of the shares in the capital or more than 50% of the voting rights in the supervisory, decision-making or management bodies, or more than 50% of the rights to participate in profits, or exercises actual control over a foreign entity,

b) the income tax actually paid by that entity is at least 25% lower than the corporate income tax that would be due from it if the tax rate referred to in Article 19(1)(1) of the Corporate Income Tax Act were applied, if that entity were a taxpayer referred to in Article 3(1) of the Corporate Income Tax Act, where the tax actually paid is understood to mean tax that is not refundable or deductible in any form, including to another entity,

c) the revenues of this entity referred to in point 3(b) are less than 30%
the sum of the value of:

– shares in another company, all rights and obligations in a company that is not a legal person, participation titles in an investment fund, collective investment institution or other legal person, receivables resulting from the holding of these shares, rights similar in nature to these shares, all rights and obligations or participation titles,

– real estate or movable property owned or co-owned by the taxpayer or used by them on the basis of a lease agreement,

– intangible assets,

– receivables referred to in point 3(b) from related entities,

d) the assets referred to in point c constitute at least 50% of the value of the assets of such an entity, whereby in determining this proportion in the value of the assets referred to in point c, shares in another company are not taken into account:

– which does not have its registered office or management board in the territory of the Republic of Poland

and

– which does not hold, directly or indirectly, shares in a company having its registered office or management board in the territory of the Republic of Poland, or

5) a foreign entity meeting all of the following conditions:

a) in that entity, the taxpayer referred to in Article 3(1), alone or jointly with related entities or other taxpayers having their place of residence or registered office or management in the territory of the Republic of Poland, holds, directly or indirectly, more than 50% of the shares in the capital or more than 50% of the voting rights in the supervisory, decision-making or management bodies, or more than 50% of the rights to participate in profits, or exercises actual control over a foreign entity,

b) the entity's income exceeds the income calculated according to the formula:

$$(b + c + d) \times 20\%$$

where the individual letters denote:

b – the balance sheet value of the entity's assets,

c – the entity's annual employment costs,

d – the accumulated (total) current value depreciation within the meaning of accounting regulations,

c) less than 75% of the entity's revenue comes from transactions with unrelated entities having their residence, registered office, management, registration or location in the same country as the entity,

d) the income tax actually paid by that entity is at least 25% lower than the corporate income tax that would be due from it using the tax rate referred to in Article 19(1)(1) of the Corporate Income Tax Act, if that entity were a taxpayer referred to in Article 3(1) of the Corporate Income Tax Act, whereby

actually paid means tax that is not refundable or

deduction in any form, including to another entity.

3a. When calculating the difference referred to in paragraph 3(3)(c), (4)(b) and (5)(d), no account shall be taken of a foreign establishment of a foreign controlled entity which is not subject to taxation or is exempt from taxation in the country where the foreign controlled entity has its registered office.

3b. The exercise of control referred to in paragraph 3(3)(a) over a tax capital group referred to in paragraph 2(1)(f) shall be determined by reference to the parent company or to all companies in the group.

3c. In the case of a company from a tax capital group referred to in paragraph 2(1)(f), for the purposes of paragraph 3(3)(c), the income tax actually paid by that company shall be understood as the tax that would have been paid by that company if it had not been part of that tax capital group.

3d. Other taxpayers having their place of residence or registered office or management board in the territory of the Republic of Poland, referred to in paragraph 2(1), shall be understood as taxpayers holding directly at least 25% of shares in the capital or at least 25% of voting rights in the supervisory, decision-making or management bodies, or at least 25% of the rights to participate in profits.

3e. The revenues referred to in paragraph 3(3)(b) shall also include
income attributed in accordance with Article 8.

3f. The carrying amount of the entity's assets and depreciation write-offs referred to in section 3(5)(b) shall be determined as at the last day of the tax year. If, before the end of that tax year, the entity disposed of assets representing at least 25% of the carrying amount of all assets determined as at the last day of the previous tax year, the carrying amount of the disposed assets shall be determined as at the day preceding the date of their disposal and shall be included in the amount referred to in section 3(5)(b) in proportion to the number of days during which those disposed assets were owned by the entity in the tax year to the total number of days in that year.

4. (repealed)

5. The tax base referred to in paragraph 1 shall be the amount corresponding to the income of the foreign controlled entity in proportion to the period during which the foreign entity was controlled by the taxpayer in its tax year, or to the period referred to in paragraph 9 or 10, in the part which

corresponds to the rights held to participate in the profit of that entity, after deducting the amounts:

1) included in the taxpayer's tax base, of dividends received from a controlled foreign entity;

2) income from the taxpayer's sale of a share in a foreign controlled entity, in the part included in its tax base.

5a. Where the taxpayer is the founder (settlor) of an entity referred to in paragraph 2(1)(e), his right to participate in the profits shall be determined by reference to the ratio of the market value of the assets transferred by him on the date of transfer to the total assets of the trust, foundation or other entity or legal relationship of a fiduciary nature. Where the taxpayer is both the founder (settlor) and the beneficiary of the entity referred to in paragraph 2(1)(e), the provision of paragraph shall apply accordingly, unless the taxpayer who is the founder (settlor) proves that the actual right to participate in the profits of the entity referred to in paragraph 2(1)(e) is vested in its entirety in the taxpayer who is the beneficiary.

6. Amounts not deducted in accordance with paragraph 5 in a given tax year shall be subject to deduction in the next five consecutive tax years.

7. The income referred to in paragraph 5, subject to paragraphs 7a and 7b, is the surplus of the sum of revenues over the costs of obtaining them, determined in accordance with the provisions of the Act, regardless of the type of revenue sources, determined on the last day of the tax year of the foreign controlled entity. If the foreign controlled entity does not have a fixed tax year or if that year exceeds a period of 12 consecutive months, the tax year of the taxpayer shall be deemed to be the tax year of the foreign controlled entity. The income of a foreign controlled entity shall not be reduced by losses incurred in previous years.

7a. In the case referred to in paragraph 3(4), the income of the entity shall be 8% of the value of the assets of that entity referred to in paragraph 3(4)(c). The first sentence shall not apply if the tax base referred to in paragraph 1 includes the income of that foreign entity referred to in paragraph 5 or 5a, in connection with the fulfilment of the conditions specified in paragraph 3(1)-(3) or (5).

7b. The value of the assets referred to in paragraph 7a shall be determined on the basis of their balance sheet value established in accordance with the accounting regulations at the end of the year for which the tax is to be paid.

7c. For the purposes of determining the income referred to in paragraph 7:

1) revenues and costs allocated in accordance with Article 8 shall also be taken into account;

2) no allowances or exemptions under the Act shall apply, except as specified in this article.

8. If it is not possible to determine the amount of the right to participate in the profits of a foreign controlled entity, or if this right has been excluded or limited, the highest percentage share of the taxpayer in the capital or voting rights in the supervisory, decision-making or management bodies of that entity shall be used to determine it.

9. In the case of a foreign controlled entity referred to in paragraph 3(1), in order to determine the right to participate in the profits of the foreign controlled entity, it shall be assumed that the taxpayer or the taxpayer jointly with other taxpayers referred to in Article 3(1) or the taxpayers referred to in Article 3(1) of the Corporate Income Tax Act, had all rights to participate in the profits of that entity throughout the tax year referred to in paragraph 7. In the absence of evidence to the contrary, it shall be assumed that the shares of these taxpayers related to the right to participate in profits are equal.

10. The provision of paragraph 9 shall apply accordingly to the determination of the right to participate in the profits of a foreign controlled entity referred to in paragraph 3(2), unless the taxpayer proves that the taxpayer's actual right to participate in the profits of a foreign controlled entity or the period of its possession is different.

11. In the case of a foreign controlled entity referred to in paragraph 3(2), the provision of paragraph 1 shall not apply if the taxpayer demonstrates that at least one of the conditions specified in paragraph 3(3) is not met. The provision of paragraph 15 shall apply.

12. The tax calculated in accordance with paragraph 1 by the taxpayer on account of control over a foreign controlled entity shall be reduced by the tax paid by the subsidiary on the basis of the provisions on controlled companies or entitiesforeign entities, applicable in the country of residence, management, registration or location of the subsidiary, in the part corresponding to the rights to participate in the profits of that subsidiary, if that subsidiary:

1) holds, directly or indirectly, at least 50% of the rights to participate in the profits of that foreign controlled entity, and

2) the subsidiary is a taxpayer referred to in Article 3(1) of the Corporate Income Tax Act, or there is a legal basis, resulting from an agreement on the avoidance of double taxation, another

ratified international agreement to which the Republic of Poland is a party, or another international agreement to which the European Union is a party, for the tax authority to obtain tax information from the tax authority of the country in which the subsidiary, being a foreign entity, has its tax residence or is registered or located.

13. An amount equal to the income tax paid by a foreign controlled entity in the country of its registered office or management, registration or location, or in another country, shall be deducted from the income tax calculated in accordance with paragraph 1, in proportion to the income determined in accordance with paragraphs 5 and 5a to the income of that entity determined in accordance with paragraphs 7 and 7a. The provisions of Article 27(8)-(9a) shall not apply. The provision of Article 11a shall apply accordingly.

14. The provision of paragraph 13 shall apply provided that there is a legal basis under a double taxation agreement or other ratified international agreement to which the Republic of Poland is a party, or another international agreement to which the European Union is a party, for the tax authority to obtain tax information from the tax authority of another country where the income was earned.

15. Taxpayers are required to keep a register of foreign entities referred to in paragraph 3(1) and (2) and paragraph 3(a), and in the case of foreign entities having their registered office or management in the territory of a Member State of the European Union or the European Economic Area – a register of foreign entities meeting the conditions specified in paragraph 3(3).

15a. After the end of the tax year referred to in paragraph 7, taxpayers shall, no later than by the deadline for submitting a tax return on the income of a foreign controlled entity earned in the tax year, record events occurring in the foreign controlled entity in records separate from the accounting records referred to in Article 24a or Article 15(1) of the Act on Flat-Rate Income Tax in a manner ensuring the determination of the amount of income, the basis for calculating the tax and the amount of tax due for the tax year, including the inclusion in the records of fixed assets and intangible assets of the information necessary to determine the amount of depreciation write-offs in accordance with the provisions of Articles 22a–22o.

16. At the request of the tax authority, the taxpayer is obliged to make available, within 7 days of receiving the request, the records kept in accordance with paragraph 15

and records kept in accordance with paragraph 15a. If the taxpayer does not make these records or registers available, or if it is not possible to determine the income on the basis of the records kept, the income shall be determined by way of estimation, taking into account the subject of the activity (transaction) from which the income was derived. The provisions of the Tax Ordinance shall apply to the determination of income by way of estimation.

17. For the purpose of calculating the indirect share, the provisions of Article 23m(3) shall apply accordingly.

18. The provisions of paragraphs 1, 15a and 16 shall not apply if a foreign controlled entity, subject to taxation on its total income in a Member State of the European Union or in a country belonging to the European Economic Area, conducts significant actual economic activity in that country.

19. (repealed)

20. When assessing whether a foreign controlled entity carries out real economic activity, particular consideration shall be given to whether:

1) the registration of a foreign controlled entity is linked to the existence of an enterprise within which that entity actually performs activities constituting economic activity, including in particular whether that entity has premises, qualified staff and equipment used in its economic activity;
2) a foreign controlled entity does not create a structure functioning in isolation from economic reasons;
3) there is a correlation between the scope of activities carried out by the foreign controlled entity and the premises, personnel or equipment actually owned by that entity;
4) the agreements concluded are consistent with economic reality, have economic justification and are not manifestly contrary to the overall economic interests of that entity;
5) the foreign controlled entity performs its basic economic functions independently, using its own resources, including local management personnel.

20a. In assessing whether the actual economic activity is significant, particular consideration shall be given to the ratio of the revenue generated by the foreign controlled entity from its actual economic activity to its total revenue.

21. The provisions of paragraphs 1–20a and Article 45(1aa) shall apply accordingly to:

1) a taxpayer conducting business activity through a foreign establishment located outside the territory of the Republic of Poland, unless the income of that establishment has been included by the taxpayer in the tax base determined in accordance with Article 26 or Article 30c;

2) a taxpayer referred to in Article 3(2a) conducting business activity through a foreign establishment located in the territory of the Republic of Poland – to the extent related to the activity of that establishment.

22. For the purposes of determining the status of a foreign entity or meeting the condition of control over a foreign entity, no account shall be taken of relationships between entities which are not established or maintained for legitimate economic reasons, including those aimed at manipulating the ownership structure or creating circular ownership structures.

Art. 30g. 1. Income tax on income from a fixed asset that is a building which:

1) is owned or co-owned by the taxpayer,

2) is an asset related to economic activity,

3) has been made available for use, in whole or in part, on the basis of a lease, tenancy or other similar agreement,

4) is located in the territory of the Republic of Poland

– hereinafter referred to as "tax on income from buildings" – amounts to 0.035% of the tax base tax base for each month.

2. Income from a fixed asset that is a residential building made available for use as part of government and local government social housing programmes is exempt from tax on income from buildings if the exemption constitutes compensation that meets the conditions set out in the Commission Decision of 20 December 2011 on the application of Article 106(2) 2 of the Treaty on the Functioning of the European Union to State aid in the form of compensation for the provision of public services granted to undertakings entrusted with the operation of services of general economic interest (OJ EU L 7 of 11.01.2012, p. 3).

3. The revenue referred to in paragraph 1 shall be the initial value of the taxable fixed asset as determined on the first day of each month on the basis of the records kept, and in the month in which the fixed asset was

entered in the records – the initial value determined on the date of entry of the fixed asset in the records.

4. In the month in which the building was sold or put into use under a lease agreement referred to in Article 23f, the income from that building shall be determined exclusively by the taxpayer who sold the building or put it into use under a lease agreement. The rule referred to in the first sentence shall apply accordingly in the case of the sale of a share in the joint ownership of a building.

5. Where the building constitutes:

1) jointly owned by a taxpayer – the value resulting from the taxpayer's records shall be used to calculate the initial value;

2) the property or co-property of a company that is not a legal person, the provision of Article 8(1) shall apply accordingly when calculating the initial value attributable to a partner.

6. If a building has been partially commissioned, the income shall be determined in proportion to the share of the usable area commissioned in the total usable area of that building. The proportion referred to in the first sentence shall be determined on the date specified in paragraph 3.

7. The income referred to in paragraph 1 shall not be determined if, on the date specified in paragraph 3, the total share of the usable area of the building put into use does not exceed 5% of the total usable area of that building.

8. Where the building contains residential premises put into use under government and local government social housing programmes referred to in paragraph 2, the income shall be reduced in proportion to the share of the usable area of those residential premises in the total usable area of the building. The proportion referred to in the first sentence shall be determined on the date specified in paragraph 3.

9. The tax base shall be the sum of the revenues referred to
in paragraph 1, from individual buildings, reduced by PLN 10,000,000.

10. Where a taxpayer holds a share in the capital of another entity within the meaning of Article 23m(1)(4) within the scope referred to in Article 23m(2)(1), the amount referred to in paragraph 9 shall be determined in such proportion as the revenue referred to in paragraph 1 bears to the total amount of such revenue of the taxpayer and its related entities. shall be determined in such proportion as the revenue referred to in paragraph 1 bears to the total amount of such revenue of the taxpayer and its related entities.

11. Taxpayers are required to calculate the tax on income from buildings for each month and pay it to the tax office account by the 20th day of the month following the month for which the tax is paid. If, before the deadline referred to in the first sentence, the taxpayer submits the return referred to in Article 45(1) or (1a)(2), the tax on income from buildings for the last month of the tax year shall be paid no later than on the date of submission of that return.

12. The amount of tax on income from buildings paid for a given month shall be deducted by taxpayers from the advance tax payment referred to in Article 44. Where taxpayers pay quarterly advance payments, the tax on income from buildings paid for the months falling within a given quarter shall be deductible.

13. Taxpayers may not pay tax on income from buildings if it is lower than the amount of the advance tax payment referred to in Article 44 for a given month.

14. The amount of tax paid and not deducted in the tax year on income from buildings shall be deducted from the tax calculated in accordance with Article 27 or Article 30c for the tax year. The deduction shall be made in the return referred to in Article 45(1) or (1a)(2).

15. The amount of tax on income from buildings not deducted under paragraph 14 shall be refunded at the taxpayer's request without issuing a tax refund decision, if the request does not raise any doubts.

16. If the tax authority determines a tax liability or loss in an amount other than that resulting from the tax return, the taxpayer shall be entitled to a refund in the amount of:

1) the difference between the amount of tax paid and not deducted on income from buildings and the amount of tax determined by the tax authority in accordance with Article 27 or Article 30c – in the case of the tax authority determining the tax liability, or

2) the tax paid and the tax not deducted the tax on income from buildings – in the event of a loss being determined by the tax authority.

17. Where a building has been put into use under a lease agreement within the meaning of Article 23a(1), the provisions of paragraphs 1 to 16 shall apply only to the entity making depreciation write-offs in accordance with Articles 22a to 22o.

18. The provisions of paragraphs 1–17 shall also apply where a taxpayer, without justified economic reasons, transfers all or part of the ownership or co-ownership of a building or puts a building into use on the basis of a

within the meaning of Article 23f, in order to avoid tax on income from buildings. In such a case, the entity to which the ownership or co-ownership of the building or part thereof has been transferred, or the entity which has accepted the building for use on the basis of this agreement, shall not determine the income referred to in paragraph 1 in respect of that building or part thereof.

Chapter 6a

Solidarity levy

Article 30h. 1. Natural persons shall be obliged to pay a solidarity levy.
at a rate of 4% of the basis for calculating this levy.

2. The basis for calculating the solidarity levy shall be the surplus in excess of PLN 1,000,000 of the sum of income subject to taxation under the rules specified in Article 27(1), (9) and (9a), Article 30b, Article 30c and Article 30f, after deducting:

1) the amounts of contributions referred to in Article 26(1)(2) and (2a), and contributions referred to in Article 30c(2)(2),

2) the amounts referred to in Article 30f(5)

– deducted from this income.

3. When determining the basis for calculating the solidarity levy in the calendar year referred to in paragraph 4, the income and amounts reducing that income in accordance with paragraph 2, as shown in:

1) annual tax calculation referred to in Article 34(7), if the tax resulting from this settlement is tax due,

2) the returns referred to in Article 45(1), (1a)(1) and (2) and (1aa)

– whose submission deadline expires in the period from the day following the deadline for submitting the solidarity levy return in the year preceding that calendar year to the deadline referred to in paragraph 4.

4. The natural persons referred to in paragraph 1 shall be required to submit a declaration on the amount of the solidarity levy to the tax offices, in accordance with the template provided, by 30 April of the calendar year and to pay the solidarity levy by that date. The provisions of Article 45(1b) and (1c) shall apply accordingly.

5. The declaration on the amount of the solidarity levy shall contain data enabling the correct identification of the natural person and the tax office to which the declaration is addressed, as well as the correct settlement of the solidarity levy.

6. (repealed)

Article 30i. 1. The provisions of the Tax Ordinance shall apply accordingly to the solidarity levy. Tax Ordinance shall apply accordingly to the solidarity levy.

2. The powers of the tax authority shall be vested in the head of the tax office competent in matters of personal income tax, and in the case of:

1) when justified by the protection of classified information and national security requirements – to the authority referred to in Article 13a of the Tax Ordinance;
2) matters referred to in Article 119g § 1 of the Tax Ordinance – to the Head of the National Revenue Administration.

Chapter 6b

Lump sum tax on foreign income of persons transferring their place of residence their place of residence to the territory of the Republic of Poland

Art. 30j. 1. Taxation with a lump sum on foreign income of persons transferring their place of residence to the territory of the Republic of Poland, hereinafter referred to in this chapter as "lump sum", may apply to a taxpayer who meets all of the following conditions:

1) by the end of January of the year following the tax year in which they moved their place of residence to the territory of the Republic of Poland and were subject to unlimited tax liability, they submit to the tax office a declaration of their choice of lump sum taxation in accordance with the established form, with the provision of Article 45(1b) applying accordingly;
2) did not have a place of residence in the territory of the Republic of Poland for at least five of the six tax years immediately preceding the tax year in which he moved his place of residence to the territory of the Republic of Poland and was subject to unlimited tax liability.

2. The taxpayer shall attach to the declaration referred to in paragraph 1(1) a certificate of residence or other evidence documenting their place of residence for tax purposes during the period referred to in paragraph 1(2).

3. The taxpayer shall submit the declaration referred to in paragraph 1(1) once for the entire period of lump sum taxation.

Article **30k.** 1. Income earned outside the territory of the Republic of Poland in a tax year, hereinafter referred to in this

chapter as "foreign income", excluding income taxed according to the rules specified in Art. 30f.

2. Foreign income shall not be combined with other income (revenues) subject to taxation under the rules specified in the Act and shall not be reported in tax returns and tax books, provided that the taxpayer is required to have the evidence necessary to determine the origin, amount and period of obtaining foreign income.

3. Foreign revenues and expenses referred to in Article 30m(1) shall not constitute grounds for inclusion in tax-deductible costs or deduction in any form from revenue, income, the basis for calculating tax and tax, including deductions for social security contributions paid by the taxpayer on income covered by the lump sum and the use of tax reliefs within the meaning of the Tax Ordinance.

Article 30l. 1. The lump sum shall amount to PLN 200,000 per tax year, regardless of the amount of foreign income earned in that year.

2. The taxpayer is obliged to pay the lump sum by 30 April of the following the tax year.

3. If the taxpayer moved their place of residence to the territory of the Republic of Poland during the tax year, the amount of the lump sum shall be determined in proportion to the number of months in which the taxpayer was subject to unlimited tax liability in that tax year.

Art. 30m. 1. The taxpayer shall be obliged to incur expenditure on economic growth, the development of science and education, the protection of cultural heritage or the promotion of physical culture, the types of which are specified in the regulations issued on the basis of paragraph 5, in the amount of at least PLN 100,000 in a tax year, starting from the tax year immediately following the tax year in which the taxpayer moved their place of residence to the territory of the Republic of Poland.

2. If the expenses referred to in paragraph 1 incurred in a tax year exceed PLN 100,000, the surplus above this amount shall be included in the amount of expenses incurred in subsequent tax years.

3. If the expenses referred to in paragraph 1 were incurred in foreign currencies, the provision of Article 11a(2) shall apply accordingly.

4. The taxpayer shall submit a written statement to the tax office on the incurrence of the expenses referred to in paragraph 1, together with documents confirming their

by the end of January of the year following the tax year,

whereby the provisions of Article 45(1b) shall apply accordingly.

5. The minister responsible for public finance shall specify, by way of a regulation, the types of expenditure referred to in paragraph 1, taking into account the impact of individual categories of expenditure on economic growth, the development of science and education, the protection of cultural heritage and the promotion of physical culture.

Art. 30n. Lump sum taxation shall apply for a period of 10 consecutive tax years, counting from the tax year in which the taxpayer moved their place of residence to the territory of the Republic of Poland.

Art. 30o. The taxpayer loses the right to lump-sum taxation:

1) from the beginning of the tax year in which they submitted a declaration of resignation from lump sum taxation – if, by the end of January of that tax year, submits to the tax office a declaration of resignation from lump sum taxation according to the established template, whereby the provision of Art. 45(1b) shall apply accordingly;
2) at the end of the tax year preceding the year:
   a) in which he moved his place of residence outside the territory of the Republic of Poland Poland, or
   b) for which he did not pay the lump sum for the tax year in full or in part on time tax year, or
   c) in which he did not incur the expenses referred to in Article 30m(1).

Article 30p. 1. The provisions of this chapter shall apply accordingly to a family member of a taxpayer subject to lump sum taxation, whereby:

1) the lump sum on foreign income earned by a member of the taxpayer's family shall be PLN 100,000 per tax year;
2) a member of the taxpayer's family is not obliged to incur the expenses referred to in Article 30m(1);
3) a member of the taxpayer's family also loses the right to lump-sum taxation on the date on which the taxpayer loses the right to lump-sum taxation in accordance with Article 30o;
4) in the event of the taxpayer's death or loss of status as a member of the taxpayer's family, starting from the tax year immediately following the tax year in which these circumstances occurred:

a) the lump sum on foreign income earned by a member of the taxpayer's family shall be PLN 200,000 per tax year,

b) the taxpayer's family member is obliged to incur the expenses referred to in Article 30m(1).

2. A member of the taxpayer's family referred to in paragraph 1 shall be understood as the spouse and child referred to in Article 27f(1).

Chapter 7

Collection of tax or advance tax payments by payers

Article 31. (repealed)

Art. 31a. 1. The taxpayer shall submit to the payer, in writing or in another manner accepted by the payer concerned, statements and requests affecting the calculation of the advance payment.

2. The declarations and requests referred to in Article 31b(1), Article 32(3) and (6)-(8) and Article 41(11) may be submitted in accordance with the established template.

3. The taxpayer shall be obliged to withdraw or amend a previously submitted statement or application if the circumstances affecting the calculation of the advance payment have changed.

4. The withdrawal and amendment of a previously submitted statement or application shall take place by way of a new declaration or application referred to in paragraph 1.

5. If a taxpayer submits a statement or application to the payer that affects the calculation of the advance payment, the payer shall take that statement or application into account at the latest from the month following the month in which it was received, and in the case of a payer referred to in Article 34, at the latest from the second month following the month in which it was received.

6. The statement and application affecting the calculation of the advance payment shall also apply to subsequent tax years, unless a separate provision provides otherwise.

7. After the termination of the legal relationship constituting the basis for the payer to make payments to the taxpayer, the payer shall disregard the declarations and requests previously submitted by the taxpayer when calculating the advance payment, with the exception of the requests referred to in Article 32(6) and (8) and Article 41(11).

8. If a taxpayer submits a statement to the payer referred to in Article 32, Article 34 or Article 41(1) that they meet the conditions for applying the exemptions referred to in Article 21(1)(152)-(154), the payer shall calculate the advance payment taking into account these exemptions, przy whereby in the declaration concerning fulfilment of the conditions for

the application of the exemption referred to in Article 21(1)(152), the taxpayer shall indicate the year of commencement and termination of the exemption by the payer.

9. The declaration referred to in paragraph 8 shall be submitted under penalty of criminal liability for making a false declaration and shall contain the following clause: "I am aware of the criminal liability for making a false declaration." This clause replaces the instruction of the authority on criminal liability for making false declarations.

10. Where the understatement or non-disclosure of the tax base by the payer resulted from the payer's use of applications or statements submitted by the taxpayer affecting the calculation of the advance payment, the provisions of Article 26a § 2 of the Tax Ordinance shall not apply.

Article 31b. 1. In the cases referred to in Article 32, Article 34(3), Article 35(1)(1)-(4) and (7)-(9) and Article 41(1), the payer shall reduce the advance payments by an amount not exceeding 1/12 of the tax reduction amount if the taxpayer submits a statement on the application of the reduction to that payer.

2. The taxpayer may submit a statement on the application of the reduction to no more than three payers.

3. In the declaration on the application of the reduction, the taxpayer shall indicate that the payer is entitled to reduce the advance payment by an amount constituting:

1) 1/12 of the tax-reducing amount or

2) 1/24 of the tax-reducing amount, or

3) 1/36 of the tax-reducing amount.

4. In the cases referred to in Article 33, Article 34(2), Article 35(1)(5) and (6) and Article 42e, the payer shall reduce the advance payment by an amount equal to 1/12 of the tax-reducing amount, unless the taxpayer submits to that payer the statement referred to in paragraph 3(2) and (3) or a request to waive the reduction.

5. In the case of receiving income from more than one payer in a given month, the taxpayer may submit a statement on the application of the reduction if:

1) the total amount of the reduction applied by all payers in that month does not exceed 1/12 of the tax-reducing amount, and

2) in the tax year, the taxpayer did not take full advantage of the tax reduction amount through the payer, including when he submitted a request not to collect advance payments in a given tax year, referred to in Article 31c.

6. If a taxpayer receives income from the same payer for various reasons in a given month, the payer shall apply a complex statement on the application of a reduction to this income, provided that the total amount of the reduction applied by this payer in that month may not exceed the amount specified in this statement.

Art. 31c. 1. The payer shall not collect advance payments referred to in Articles 32-35 and Article 41(1) if the taxpayer submits a request to that payer not to collect advance payments in a given tax year.

2. A taxpayer may submit a request not to collect advance payments in a given tax year if they anticipate that their income subject to taxation under the rules specified in Article 27 will not exceed PLN 30,000 in the tax year.

3. If the taxpayer referred to in paragraph 1 obtains income subject to taxation under the rules specified in Article 27 exceeding PLN 30,000 in a tax year, the payer shall calculate advance payments without the reduction referred to in Article 31b.

Article 31d. 1. If the payer has collected from the taxpayer a flat-rate income tax referred to in Article 30(1)(2), (4)-(4b), (5a) and (13)-(16) unduly or in an amount greater than due, the payer may submit a request for a determination of overpayment of that tax.

2. In the case of an application submitted before the payer submits their annual flat-rate income tax return, the provisions of Article 75 § 3 of the Tax Ordinance shall not apply.

3. If the correctness of the application is not in doubt, the tax authority shall refund the overpayment without issuing a decision confirming the overpayment within 30 days of the date of submission of the application.

4. In the case referred to in paragraph 2, the payer shall include the amount of the overpayment refunded without issuing a decision in the return or correction submitted.

5. The amount of the overpayment refunded by the tax authority shall be immediately to the taxpayer.

6. interest overpayment provision paragraph 5 and provisions of Article 78 § 3(3)(a) and (b) of the Tax Ordinance shall apply accordingly. In the case referred to in paragraph 3, interest shall be payable if the overpayment has not been refunded within the time limit specified in that provision.

Art. 32. 1. Work establishments that are natural persons, legal persons and organisational units without legal personality are obliged, as payers, to calculate and collect advance payments for income tax during the year from persons who obtain income from these establishments from a service relationship, employment relationship, outside work or cooperative employment relationship, from social security cash benefits paid by work establishments or from participation in the balance sheet surplus paid in work cooperatives.

2. Advance payments for the months from January to December amount to:

1) for months in which the taxpayer's income obtained from the beginning of the year from a given payer did not exceed PLN 120,000 – 12% of the income obtained in a given month;
2) for the month in which the taxpayer's income obtained from the beginning of the year from a given payer exceeded PLN 120,000 – 12% of that part of the income obtained in that month which did not exceed that amount, and 32% of the surplus over PLN 120,000;
3) for the months following the month referred to in point 2 – 32% of the income earned in a given month from a given payer.

3. If a taxpayer submits a statement to the payer that for a given year they intend to tax their income in the manner specified in Article 6(2) or (4d), and for the tax year the following is anticipated, as specified in the statement:

1) the taxpayer's income will not exceed PLN 120,000, and the spouse or child does not earn any income that is combined with the taxpayer's income – advance payments for all months of the tax year amount to 12% of the income obtained in a given month from that payer and are additionally reduced for each month by an amount constituting 1/12 of the amount reducing the tax in the case of a statement concerning the taxation of income on the terms specified in Article 6(2) or (4d);
2) the taxpayer's income exceeds PLN 120,000, and the income of the spouse or child, which is combined with the taxpayer's income, does not exceed this amount –

advance payments for all months of the tax year shall amount to 12% of the income obtained in a given month from that payer.

4. The income referred to in paragraphs 2 and 3 shall be deemed to be the income referred to in paragraph 1 obtained during the month, after deduction of the costs of obtaining it in the amount specified in Article 22(2)(1) or (3) or paragraph 9(1)-(3), and after deducting the social security contributions referred to in Article 26(1)(2)(b) or (2a) withheld by the payer in a given month.

5. If benefits in kind, benefits incurred on behalf of the taxpayer or other gratuitous benefits are due to the taxpayer for a period longer than one month, their value per month is used when calculating advance payments for individual months. If it is not possible to determine what part of these benefits is attributable to one month, and adding the entire value in the month in which they were obtained would result in an advance payment that is disproportionately high in relation to the cash payment, the payer shall, at the taxpayer's request, limit the collection of the advance payment for a given month and collect the remaining part of the advance payment in the following months of the tax year.

6. If the taxpayer submits a request to the payer to calculate advance payments without applying the tax exemption under Article 21(1)(148) or the monthly tax-deductible costs referred to in Article 22(2)(1) or (3), the payer shall calculate the advance payments without applying that exemption or those costs.

7. If the taxpayer submits a statement to the payer that the condition specified in Article 22(2)(3) has been met, the payer shall calculate the advance payments using the tax-deductible costs specified in that provision.

8. If the taxpayer submits a request to the payer to waive the application of the tax-deductible costs specified in Article 22(9)(1)-(3), the payer shall calculate the advance payments without applying those costs.

9. The payer shall not collect advance payments for income tax on income earned by the taxpayer from work performed outside the territory of the Republic of Poland, provided that such income is or will be subject to taxation outside the territory of the Republic of Poland. At the taxpayer's request, the payer shall collect advance payments for income tax in accordance with paragraphs 2-8, taking into account Article 27(9) and (9a).

Art. 33. 1. Agricultural production cooperatives and other cooperatives engaged in agricultural production are obliged, as payers, to collect advance payments during the year for income tax on payments made to cooperative members or their household members on account of daily allowances accounting, share in the cooperative's income

of the cooperative, as well as cash benefits from social insurance obtained by these persons from the cooperative.

2. Advance payments for the months from January to December are calculated in the manner specified in Article 32(2) or (3).

3. For the calculation of advance payments on accounting daily allowances, the part determined in the percentage ratio of the share of income exempt from corporate income tax in the year preceding the tax year, pursuant to Article 17(1)(15) of the Corporate Income Tax Act, in the total amount of payments for accounting days, less the contributions referred to in Article 26(1)(2)(b), calculated on the taxable income and deducted by the payer in a given month. If in the year preceding the tax year there was no income specified in the previous sentence, the payers referred to in paragraph 1 shall not deduct advance payments for income tax in the tax year.

3a. (repealed)

4. After the end of the tax year, the payers referred to in paragraph 1 shall determine for that year, in accordance with the rules set out in paragraph 3, the share of income exempt from corporate income tax in the total amount of payments for accounting days and the amount of social security contributions calculated on taxable income, and settle the tax in accordance with Articles 38-40.

5. The accounting records of income and expenses kept by agricultural production cooperatives or other cooperatives engaged in agricultural production shall separate income and expenses relating to plant and animal production not based on specialised agricultural production.

6. When determining the separate income and costs from the activities referred to in paragraph 5, the rules applicable to the recording of income and costs from the overall activities of the cooperative shall apply accordingly.

Art**. 34.** 1. Pension authorities shall be obliged, as payers, to collect monthly advances from pensions and disability benefits, pre-retirement benefits and pre-retirement allowances, teachers' compensation benefits, cash benefits from social insurance, structural pensions, social pensions, supplementary allowances and supplementary parental benefits.

1a. The payer shall not collect advance payments for income tax referred to in Article 21(1)(100) if the taxpayer submits to the payer the documents specified in that provision.

2. Advance payments, except for advance payments of social security cash benefits, for the months from January to December shall be calculated in the manner specified in Article 32(2) or (3).

2a. (repealed)

2b. (repealed)

3. Advance payments on social security cash benefits shall be calculated using a tax rate of 12%.

4. (repealed)

4a. (repealed)

4b. The payer shall apply the exemption referred to in Article 21(1)(148) if the taxpayer submits a request to the payer to calculate advance payments taking into account this exemption.

5. (repealed)

6. (repealed)

7. Pension authorities shall be required to prepare and submit an annual tax calculation, in accordance with the established template, to taxpayers receiving income from pensions and disability benefits, structural pensions, social pensions, supplementary allowances, pre-retirement benefits, pre-retirement allowances, teachers' compensation benefits and supplementary parental benefits, and to the tax office through which the head of the tax office competent for the taxpayer's place of residence performs his or her duties, and in the case of a taxpayer referred to in Article 3(2a), to the tax office through which the head of the tax office competent in matters of taxation of foreign persons performs his duties; this obligation does not apply to taxpayers:

1) for whom the obligation to collect advance payments has ceased;
2) for whom advance payments were determined in the manner specified in Article 32(3), unless the taxpayer submits a statement before the end of the tax year renouncing the intention to tax his income in the manner specified in Article 6(2) or (4d);
3) in relation to which, pursuant to the provisions of the Tax Ordinance, the pension authority was exempted in whole or in part from the obligation to collect advance payments for income tax;

4) from whom no income tax advances were collected in accordance with the provisions of double taxation agreements;

5) who have submitted an application to the pension authority not to prepare an annual tax calculation ( ) and did not withdraw it before the end of the tax year;

6) whose total advance payments collected during the tax year exceed the amount the tax calculated by the pension authority for that year;

7) to whom the reduction referred to in in Article 31b(3)(2) or (3). 7a. (repealed)

8. Where the pension authority is not required to make the annual tax calculation referred to in paragraph 7, it shall prepare a personalised statement of the amount of income earned, in accordance with the established template, and shall forward it to the taxpayer and the tax office, with the assistance of which the head of the tax office competent for the taxpayer's place of residence performs his or her duties, and in the case of taxpayers referred to in Article 3(1)(1), to the head of the tax office competent for the taxpayer's place of residence.and the tax office through which the head of the tax office competent for the taxpayer's place of residence performs his duties, and in the case of taxpayers referred to in Article 3(2a), to the tax office through which the head of the tax office competent for the taxation of foreign persons performs his duties. The pension authority shall also prepare the information referred to in the first sentence in the case of payment of benefits specified in Article 21(1)(2), (75), (100), (148) and 152-154.

9. If, apart from income received from the pension authority, the taxpayer:

1) has not obtained any other income in the tax year, except for that specified in Articles 30–30c and Article 30e,

2) does not benefit from deductions, subject to paragraphs 10–10b,

3) does not take advantage of the possibility of taxing his income in the manner specified in Article 6(2) or (4d),

4) did not obtain income resulting in the calculation of tax due in the manner specified in Article 27(8),

5) (repealed)

6) is not required to add previously deducted amounts

– the tax resulting from the annual settlement is the tax due from the taxpayer for the given year, unless the competent authority issues a decision specifying a different amount of tax liability.

10. If the taxpayer has repaid unduly collected pensions and disability benefits or social security benefits, structural pensions, social pensions, supplementary allowances

supplementary allowances, pre-retirement benefits, pre-retirement allowances, teachers' compensation benefits, supplementary parental benefits, received directly from that authority, and the obligation to collect advance payments by that authority continues, the pension authority shall deduct the amounts of refunds made in the tax year from the income when determining the amount of advance payments and in the annual income calculation, including the relevant information in that settlement.

10a. If a taxpayer is granted the right to a retirement pension, disability pension, training pension, social pension, survivor's pension, structural pension or social security benefits, for the period for which the taxpayer received benefits from another pension authority in an amount including advance tax and health insurance contributions, the pension authority shall deduct these amounts from the benefits granted when determining the amount of advance payments and in the annual tax calculation, including the relevant information in the settlement.

10b. If the taxpayer is granted the right to a retirement pension, disability pension, training pension, social pension, social security benefits or survivor's pension, for the period for which the taxpayer received benefits, training allowance, scholarship or other cash benefit for being unemployed, teacher's compensation benefit, pre-retirement allowance or pre-retirement benefit, the amounts received in this respect, taking into account the advance tax and health insurance contribution, shall be deducted by the pension authority from the benefit granted when determining the amount of advance payments and in the annual tax calculation, including the relevant information in the settlement.

11. (repealed)

12. The difference between the tax resulting from the annual tax calculation and the sum of advance payments collected for the months from January to December shall be collected from the income for March or April of the following year. The difference collected shall be paid by the payers to the account of the tax office through which the head of the tax office competent for the payer's registered office performs his duties, together with the advance payments for those months.

13. The pension authority is obliged to:

1) collect the difference referred to in paragraph 12 from the income for the month for which the last advance payment was collected – if the relationship justifying the collection of advance payments ceased in January or February, or

2) prepare and submit personalised information on the amount of income earned – if it is not possible to collect the difference referred to in paragraph 12, in accordance with point 1.

14. Personalised information on the amount of income earned, provided on the basis of paragraph 13(2), shall replace the annual tax calculation. In such a case, the pension authority shall inform the taxpayer of the reason for and consequences of providing personalised information on the amount of income earned.

Art. 35. 1. The following are obliged to collect monthly advance payments as payers:

1) legal persons and their organisational units – from pensions and foreign disability pensions paid by them,
2) legal persons and their organisational units, work establishments and other organisational units – from scholarships paid by them,
3) detention centres and prisons – from remuneration for work performed temporarily detained and convicted persons,
4) social integration centres – from integration benefits and motivational integration bonuses paid on the basis of the Act of 13 June 2003 on social employment (Journal of Laws of 2022, item 2241 and of 2024, item 1635),
5) employment authorities – from benefits paid from the Labour Fund,
6) provincial offices employment – from benefits paid from the Fund Guaranteed Employee Benefits Fund,
7) cooperatives – on interest on cash contributions of cooperative members, charged to the cooperative's costs,
8) branches of the Military Property Agency – on cash benefits paid to soldiers under the provisions of the Act of 22 June 1995 on the accommodation of the Armed Forces of the Republic of Poland,
9) entities accepting graduates for work experience or apprenticeships – from cash benefits paid for graduate internships referred to in the Act of 17 July 2009 on graduate internships, or student internships referred to in Article 121a of the Act of 14 December 2016 – Education Law

– reduced by the contributions deducted by the payer in a given month, referred to referred to in Article 26(1)(2)(b).

2. The advance payments referred to in paragraph 1 points 1-4 for the months from January to December shall be determined in the manner specified in Article 32(2) or (3), except that in the case of advance payments collected from foreign pensions and disability benefits, the provisions of the double taxation agreement concluded with the country from which these pensions and disability benefits originate shall apply.

3. When receiving the pension or disability pension referred to in paragraph 2, the taxpayer may pay the payer a fixed advance payment in PLN. This payment shall be considered an advance payment deducted by the payer.

4. The advance payment on the income referred to in paragraph 1(5)-(9) shall be calculated using a tax rate of 12%.

5. For the collection of advance payments referred to in paragraph 1(9), the provision of Article 32(6) shall apply accordingly.

6. Payers of scholarships referred to in Article 21(1)(40b) shall be required to prepare information on the amount of the scholarship paid, in accordance with the established template, and send it to the taxpayer and the tax office through which the head of the tax office competent for the taxpayer's place of residence performs his or her duties.

Article 35a. (repealed)

Article 36. (repealed)

Art. 37. (repealed)

Art. 38. 1. The payers referred to in Articles 32–35 shall, subject to paragraphs 2 and 2a, transfer the amounts of advance tax collected by the 20th day of the month following the month in which the advance payments were collected to the account of the tax office through which the head of the tax office competent for the payer's place of residence performs his duties, and if the payer is not a natural person, according to the registered office or place of business, if the payer does not have a registered office. If there is a difference between the amount of tax deducted and the amount of tax paid, it shall be explained in the declaration referred to in paragraph 1a. 1a. By the end of January of the year following the tax year, the payers referred to in Articles 32-35 shall be required to send to the tax office through which the head of the tax office competent for the payer's place of residence performs his duties, and if the payer is not a natural person, through which the head of the tax office competent for the payer's registered office or place of business performs his duties, if the payer does not have a registered office.

physical, according to the registered office or place of business, if the payer does not have a registered office, an annual declaration, according to the established template.

1b. If the payers referred to in Articles 32-35 cease their business activity before the end of January of the year following the tax year, the payer shall submit the declaration referred to in paragraph 1a by the date of cessation of that activity.

2. Payer who are:

1) sheltered workshops the amount of advance payments collected on income from the sources specified in Article 12 and on social security cash benefits paid by these payers:
   a) for the months from the beginning of the year up to and including the month in which the taxpayer's income obtained from the beginning of the year from that payer exceeded the amount constituting the upper limit of the first bracket of the scale referred to in Article 27(1), shall transfer:
      – 40% to the State Fund for Rehabilitation of Disabled Persons,
      – 60% to the company fund for the rehabilitation of disabled persons,
   b) for the months following the month in which the taxpayer's income obtained from the beginning of the year from that payer exceeded the amount referred to in point (a), they shall transfer it in accordance with the rules laid down in paragraph 1;
2) vocational activity establishments the amount of advance payments collected on income from the sources specified in Article 12 and on cash benefits from social insurance paid by these payers:
   a) for the months from the beginning of the year up to and including the month in which the taxpayer's income obtained from the beginning of the year from that payer exceeded the amount constituting the upper limit of the first bracket of the scale referred to in Article 27(1), shall be transferred to the company activity fund,
   b) for the months following the month in which the taxpayer's income obtained from the beginning of the year from that payer exceeded the amount referred to in point (a), shall transfer it in accordance with the rules specified in paragraph 1.

2a. Payers referred to in Article 32 who have lost the status of a sheltered workshop employing disabled persons shall transfer the amounts of advance payments collected on the income of those persons from the sources specified in Article 12 and on social security cash benefits paid by those payers to those persons:

1) for the months from the beginning of the year up to and including the month in which the income of a disabled person obtained from the beginning of the year from that payer exceeded the amount constituting the upper limit of the first bracket of the scale referred to in Article 27(1), shall transfer in the amount of:

   a) 25% to the company rehabilitation fund for disabled persons – in the case of payers achieving a disability employment rate of between 25% and 30%,

   b) 50% to the company rehabilitation fund for disabled persons – in the case of payers achieving a disabled employment rate of between 30% and 35%,

   c) 75% for the company rehabilitation fund for disabled persons – in the case of payers achieving a disability employment rate of between 35% and 40%,

   d) 100% for the company fund for the rehabilitation of disabled persons – in the case of payers achieving a disability employment rate of at least 40%

   – for the remainder, on the terms specified in paragraph 1;

2) for the months following the month in which the income of a disabled person earned since the beginning of the year with that payer exceeded the amount referred to in point 1, the amounts of tax advances collected shall be transferred by the payers in accordance with the rules specified in paragraph 1.

2b. The employment rate of disabled persons referred to in paragraph 2a shall be determined on the basis of Article 21(1) and (5) and Article 28(3) of the Vocational Rehabilitation Act.

2c. The provisions of paragraphs 2a and 2b shall apply for a period of 5 years from the end of the year in which the payer lost its status as a sheltered workshop, if it meets the conditions specified in the provisions of the Act on Vocational Rehabilitation.

2d. The provisions of paragraphs 2–2b shall not apply to advance payments for income tax on the following items specified in Article 12 and from cash benefits from social insurance, collected by payers in the months covered by the declaration referred to in Article 33b(2), second sentence, of the Act on Vocational Rehabilitation.

3. (repealed)

4. (repealed)

5. (repealed)

Art. 39. 1. The payers referred to in Art. 32, Art. 33 and Art. 35 shall be obliged to send the taxpayer and the tax office through which the head of the tax office competent for the taxpayer's place of residence performs his duties, and in the case of a taxpayer referred to in Article 3(2a), to the tax office through which the head of the tax office competent in matters of taxation of foreign persons performs his duties, personalised information prepared in accordance with the established template. The information referred to in the first sentence shall also be prepared in the case of payments of benefits specified in Article 21(1)(46), (74), (148) and (152)-(154). This information shall also include income exempt from tax on the basis of double taxation agreements or other international agreements.

2. If the obligation of the payers referred to in Articles 32, 33 and 35 to collect advance tax payments ceases during the year, the payers shall, upon a written request from the taxpayer, within 14 days of the date of submission of such request, prepare and submit to the taxpayer and the tax office through which the head of the tax office competent for the taxpayer's place of residence performs his duties, or to the tax office through which the head of the tax office competent for the taxation of foreign persons performs his duties, the personalised information referred to in paragraph 1.

3. Natural persons conducting business activity, legal persons and their organisational units, as well as organisational units without legal personality, are required to send the taxpayer and the tax office through which the head of the tax office competent for the taxpayer's place of residence performs his duties, and in the case of a taxpayer referred to in Article 3(2a), to the tax office through which the head of the tax office competent in matters of taxation of foreign persons performs his duties, personal information on the amount of income referred to in Article 30b(2), drawn up in accordance with the established template.

4. Upon a written request from the taxpayer referred to in Article 3(2a) in connection with their intention to leave the territory of the Republic of Poland, the entity referred to in paragraph 3 shall, within 14 days of the date of submission of that request, prepare and send to the taxpayer and to the tax office through which the head of the tax office competent for the taxation of foreign persons performs his duties, the information referred to in paragraph 3.

4a. The information referred to in paragraph 3, prepared by the entity maintaining collective accounts, shall not include the income referred to in Article 30b, obtained from securities recorded in those accounts.

5. (repealed)

Article 40. Taxpayers referred to in Articles 32-35, if they earn other income from which payers are not required to collect advance tax payments, shall be required to pay advance tax payments due on such income in accordance with the rules set out in Article 44(3a).

Art. 41. 1. Natural persons conducting business activity, legal persons and their organisational units, as well as organisational units without legal personality, which provide services related to the activities referred to in Art. 13 points 2 and 4–9 and Art. 18, to the persons specified in Art. 3(1), shall be obliged, as payers, to collect, subject to paragraph 4, advance payments for income tax, applying to the service provided, less the monthly costs of obtaining revenue in the amount specified in Article 22(9) and the contributions referred to in Article 26(1)(2)(b) deducted by the payer in a given month, the lowest tax rate specified in the scale referred to in Article 27(1).

1a. (repealed)

1b. For the collection of advance payments referred to in paragraph 1, the provision of Article 32(6) shall apply

.

1c. (repealed)

2. Payers shall not be obliged to collect advance payments on receivables referred to in Article 13(2) and (8) if the taxpayer submits a statement that the services provided by him fall within the scope of the economic activity referred to in Article 10(1)(3).

2a. Payers shall not be obliged to collect flat-rate income tax on the receivables referred to in Article 29, provided that the place of residence of the taxpayer referred to in Article 3(2a), conducting business activity through a foreign establishment located in the territory of the Republic of Poland, is documented a certificate of residence obtained from him and a written statement that these receivables are related to the activities of that establishment; the provision of Article 42(6) shall apply accordingly.

2b. The declaration referred to in paragraph 2a shall contain the identification details of the taxpayer conducting business through a foreign establishment located in the territory of the Republic of Poland, in particular the full name, address and tax identification number of the taxpayer and the address of the taxpayer's foreign establishment.

3. (repealed)

3a. (repealed)

4. The payers referred to in paragraph 1 shall be obliged to collect a flat-rate income tax on payments (benefits) made or money or monetary values made available to the taxpayer for the reasons specified in Article 29, Article 30(1)(2), (4)-(5a), 13–17 and Article 30a(1)(1–11) and (11b–13),
subject to paragraphs 4d, 5, 10, 12 and 21.

4a. (repealed)

4aa. When verifying the conditions for applying a reduced tax rate or exemption or the conditions for not collecting tax under tax law, the payer is required to exercise due diligence. When assessing due diligence, the nature and scale of the payer's business and the payer's relationship with the taxpayer within the meaning of Article 23m(1)(5) shall be taken into account.

4ab. Companies that make payments of divided profits of the company earned during the period of lump-sum taxation of company income in accordance with the provisions of Chapter 6b of the Corporate Income Tax Act shall be obliged, as payers, to collect the lump-sum income tax referred to in Article 30a(1)(4), taking into account the rules set out in Article 30a(19).

4b. (repealed)

4c. A company acquiring shares by way of exchange, an acquiring company, a newly established company or a company established as a result of transformation shall be obliged, as a payer, to collect the flat-rate income tax referred to in Article 30a(1)(4) on the income specified in Article 24(5)(7)-(8), respectively.

4ca. A company that is not a legal person is obliged, as a payer, to collect the flat-rate income tax referred to in Article 30a(1)(13).

4d. The flat-rate income tax on income (revenues) referred to in Article 30a(1)(4), in respect of dividends and income (revenues) specified in Article 24(5)(1), 3 or 6, as well as the flat-rate income tax referred to in Article 30a(1)(2), (2a) and (5), shall be collected, as payers, by entities

maintaining securities accounts for taxpayers, if such income (revenues) was obtained in the territory of the Republic of Poland and is related to securities recorded in those accounts, and the payment of benefits to the taxpayer is made through those entities. The first sentence also applies to entities referred to in Article 3(2) of the Corporate Income Tax Act to the extent that they conduct business activity through a foreign establishment located in the territory of the Republic of Poland, if the account on which the securities are recorded is related to the activity of that establishment.

4da. In the cases referred to in paragraphs 4d and 10, entities making payments through securities accounts or collective accounts shall be required to provide the entities maintaining those accounts with information on the existence of links between them and the taxpayer within the meaning of Article 23m(1)(5) and on the exceeding of the amount referred to in paragraph 12, at least 7 days before making the payment. Entities providing this information shall be obliged to update it before making the payment in the event of a change in the circumstances covered by this information.

4e. The companies referred to in Article 5a(28)(c) shall be obliged, as payers, to collect the flat-rate income tax referred to in Article 30a(1)(4), taking into account the rules laid down in Article 30a(6a) to (6e).

4f. A real estate company whose shares, all rights and obligations, participation titles or similar rights are being sold is obliged to pay, as a payer, an advance payment on income tax in the amount of 19% to the account of the competent tax office, by the 20th day of the month following the month in which the income arose, if:

1) the party making the sale is an entity without its registered office or management board in the territory of the Republic of Poland or a natural person not residing in the territory of the Republic of Poland, and
2) the subject of the sale transaction are shares (stocks) giving at least 5% of the voting rights in a company or all rights and obligations giving at least 5% of the right to participate in the profits of a company that is not a legal person, or at least 5% of the total number of participation titles or rights of a similar nature in a real estate company.

4g. The provision of paragraph 4f shall also apply in the case of a transaction carried out by one more than one transaction sale shares (stocks), total rights

and obligations, participation titles or rights of a similar nature in a real estate company, within a period not exceeding 12 months from the last day of the month in which they were first sold, if the conditions specified in this provision are met. In such a case, the real estate company is obliged to pay an advance tax payment by the 20th day of the month following the month in which the total number of voting rights in the company whose shares (shares) were sold, or the total rights and obligations giving rights to participate in the profits of a company that is not a legal person, or participation titles or rights of a similar nature, in the period referred to in the first sentence, amounted to at least 5%.

4h. If the real estate company does not have information about the amount of the sale transaction, the advance tax payment referred to in paragraph 4f shall be set at 19% of the market value of the shares, total rights and obligations, participation titles or rights of a similar nature being sold.

4i. The taxpayer shall be obliged to transfer the amount of the tax advance payment to the payer before the deadline referred to in paragraph 4f and paragraph 4g, second sentence. On the date of payment of the tax advance payment to the account of the competent tax office, the payer shall be obliged to send the taxpayer information about the tax advance payment made, drawn up in accordance with the established template.

4j. (repealed)

5. If the income is allocated to increase the share capital, and in the case of share cooperatives, the payers referred to in paragraph 4 shall collect a flat-rate income tax within 14 days from the date of the entry into force of the decision of the court of the registry on making an entry on the increase of the share capital, or, if there is no requirement to register the increase in share capital, from the date of the general meeting's resolution to increase the share capital, and in cooperatives, from the date of the general meeting's resolution to increase the share fund.

5a. (repealed)

6. (repealed)

6a. (repealed)

7. If the subject matter of:

1) the winnings (prizes) referred to in Article 30(1)(2),

2) benefits referred to in Article 30(1)(4) and (4b),

3) benefits referred to in Article 13(2) and (4)-(9) and in Article 18

– are not money, the taxpayer is obliged to pay the payer the amount of the advance payment or the flat-rate tax due before making the winnings (prize) or benefit available.

7a. If the subject of the benefit or property, referred to in Article 20(1g), is not money or monetary value, and such benefit or property is due to the taxpayer for a period longer than one month, their value per month shall be used when calculating the flat-rate tax for individual months.

7b. If the subject of benefits or property, referred to in Article 20(1g), are not money or monetary values, the taxpayer is obliged to pay the payer the amount of the flat-rate tax due by the 10th day of the month following the month in which the taxpayer received such benefits or property. This payment shall be considered as tax collected by the payer.

8. A taxpayer who earns income referred to in Article 24(5)(7)-(8) and Article 30a(1)(13), respectively, shall be obliged to pay the payer the amount of the flat-rate income tax due before the deadline specified in Article 42(1).

9. In the case referred to in paragraph 4, the payer shall collect the flat-rate income tax on the terms specified in Article 29, regardless of whether the taxpayer is resident in the territory of the Republic of Poland within the meaning of Article 3(1a), if he obtains a certificate of residence from that taxpayer.

9a. If the taxpayer's place of residence for tax purposes has been documented by a certificate of residence that does not specify its period of validity, the payer shall take this certificate into account when collecting tax for a period of twelve months from the date of its issue.

9b. If, within twelve months from the date of issue of the certificate referred to in paragraph 9a, the taxpayer's place of residence for tax purposes has changed, the taxpayer shall be obliged to immediately document his place of residence for tax purposes with a new certificate of residence. The provision of paragraph 9a shall apply accordingly.

9c. If the taxpayer has not fulfilled the obligation specified in paragraph 9b, the taxpayer shall be liable for the payer's failure to collect the tax or for collecting a tax lower than the amount due.

9d. If a document held by the payer, in particular an invoice or contract, indicates that the taxpayer's place of residence for tax purposes has changed

changed within twelve months of the date of issue of the certificate and the taxpayer has not fulfilled the obligation referred to in paragraph 9b, the provisions of paragraphs 9a and 9c shall not apply from the date on which the payer obtained that document.

9e. The taxpayer's place of residence for tax purposes may be confirmed by a copy of the certificate of residence, if the information contained in the submitted copy of the certificate of residence does not raise reasonable doubts as to its accuracy.

10. With regard to securities recorded in collective accounts, the payers of the flat-rate income tax referred to in Article 30a(1)(4) with regard to dividends and income (revenues) specified in Article 24(5)(1), 3 or 6, as well as the flat-rate income tax referred to in Article 30a(1)(2), (2a) and (5), shall be the entities maintaining collective accounts through which the amounts due on these titles are paid. The tax shall be collected on the date of transfer of the amount due on a given title to the collective account holder. The first and second sentences shall also apply to entities referred to in Article 3(2) of the Corporate Income Tax Act to the extent that they conduct business activity through a foreign establishment located in the territory of the Republic of Poland, if the account on which the securities are recorded is related to the activity of that establishment.

11. When calculating the advance payment, payers shall not apply the tax-deductible costs specified in Article 22(9)(1–3) if the taxpayer submits a written request to the payer to waive their application.

11a. (repealed)

11b. (repealed)

12. If the total amount of payments (benefits) made to a related entity or money or monetary values made available to it for the reasons specified in Article 29(1)(1) and Article 30a(1)(1)-5a exceeds PLN 2,000,000 in total for the same taxpayer in the tax year applicable to the payer of these amounts, the payer shall be obliged to collect a flat-rate income tax, applying the tax rates specified in Article 29(1)(1) and Article 30a(1) on the excess over PLN 2,000,000, disregarding the tax rate, exemptions or conditions for non-collection of tax resulting from specific provisions or double taxation agreements. The provision of the first sentence shall not apply to payments (benefits) or made available

taxpayers referred to in Article 3(1), money or monetary values
for the reasons specified in Article 30a(1)(4).

12a. The related entities referred to in paragraph 12 shall be understood as related entities within the meaning of Article 23m(1)(4).

12b. The provision of (12) shall not apply to the scope specified in the opinion on the application of preferences referred to in Article 41d.

12c. If a payment has been made which, without justified economic reasons, has not been classified as a payment referred to in Article 29(1)(1) or Article 30a(1)(1) to (5a), the provision of paragraph 12 shall apply accordingly.

12d. In the cases referred to in paragraphs 4d and 10, the determination of the amount exceeded and the existence of the links referred to in paragraph 12 shall be made by the entity maintaining securities accounts or collective accounts. The entity maintaining securities accounts or collective accounts shall not take into account amounts of receivables on which tax has been collected in accordance with Article 30a(2a).

13. If the payment was made in a foreign currency, for the purposes of determining whether the amount referred to in paragraph 12 has been exceeded, the payments shall be converted into zlotys at the average exchange rate of the foreign currency announced by the National Bank of Poland on the last working day preceding the date of payment. This provision shall apply accordingly to money or monetary values made available.

14. If it is not possible to determine the total amount of payments (benefits) made to the taxpayer or money or monetary values made available to the taxpayer for the reasons specified in Article 29(1)(1) and Article 30a(1)(1)-(5a), it shall be presumed that it exceeded the amount referred to in paragraph 12.

15. The provision of paragraph 12 shall not apply if the payer has submitted a statement that:

1) it has the documents required by tax law for the application of the tax rate or exemption or non-collection of tax resulting from specific provisions or double taxation agreements;
2) after conducting the verification referred to in paragraph 4aa, it has no knowledge to justify the assumption that there are circumstances precluding the application of the tax rate or exemption or non-collection of tax resulting from specific provisions or double taxation agreements.

16. The declaration referred to in paragraph 15 shall be made by the head of the entity within the meaning of Article 3(1)(6) of the Accounting Act, and where the entity is managed by a multi-person body, by a designated member of that body, whereby it is not permissible for the declaration to be made by a proxy.

17. The payer is obliged to submit the statement referred to in paragraph 15 to the tax authority indicated in Article 44f(15) no later than on the last day of the second month following the month in which the amount specified in paragraph 12 was exceeded, whereby the fulfilment of this obligation after the payment (benefit) has been made or the money or monetary values have been made available does not release the payer from the obligation to exercise due diligence before making the payment or making the money or monetary values available.

18. (repealed)

19. (repealed)

20. If the payer has submitted the declaration referred to in paragraph 15 and then makes further payments (benefits) to the taxpayer to whom the declaration relates, for the reasons specified in Article 29(1)(1) or Article 30a(1)(1)-(5a), or makes further money or monetary values available to that taxpayer for the reasons indicated, the payer may not apply the provision of paragraph 12 until the last day of the tax year in which the declaration was submitted.

21. In the case referred to in paragraph 20, the payer shall, by the last day of the month following the end of the tax year referred to in that provision, submit a statement to the tax authority referred to in Article 44f(15) that at the time of making further payments (benefits) or making further money or monetary benefits available:

1) it had the documents required by tax law to apply the tax rate or exemption or non-collection of tax resulting from specific provisions or double taxation agreements;
2) after the verification referred to in paragraph 4aa, it had no knowledge justifying the assumption that there were circumstances precluding the application of the tax rate, exemption or non-collection of tax resulting from specific provisions or double taxation agreements.

22. Where it is not possible to submit the declaration referred to in paragraph 21 due to failure to meet the conditions specified therein, the payer shall, within the time limit specified in that provision, pay the tax that would be due under paragraph 12, together with interest for late payment.

23. The provision of paragraph 16 shall apply accordingly to the declaration referred to in paragraph 21. paragraph 16 shall apply accordingly to the declaration referred to in paragraph 21.

24. Payers shall not be obliged to collect tax on interest or discount,

including in the case referred to in paragraph 12, on:

1) covered bonds;

2) bonds:

   a) with a maturity of not less than one year,

   b) admitted to trading on a regulated market or introduced to an alternative trading system within the meaning of the provisions of the Act of 29 July 2005 on trading in financial instruments, in the territory of the Republic of Poland or in the territory of a country that is a party to a double taxation agreement concluded with the Republic of Poland, the provisions of which specify the rules for taxation of income from dividends, interest and royalties

   – excluding the payer referred to in paragraphs 4d and 10 with regard to income (revenues) obtained by the taxpayer referred to in Article 3(1).

24a. No tax shall be collected in the case referred to in paragraph 24(2), provided that the issuer submits to the tax authority referred to in Article 44f(15) a statement that the issuer has exercised due diligence in informing its related entities within the meaning of Article 23m(1)(4) or within the meaning of Article 11a(1)(4) of the Corporate Income Tax Act, with the exception of entities whose affiliation results solely from their affiliation with the State Treasury or local government units or their associations, of the conditions for the exemption referred to in Article 21(1)(130c) in relation to those affiliated entities. The first sentence shall not apply to the State Treasury as an issuer of bonds.

24b. The statement referred to in paragraph 24a shall be submitted once in relation to a given bond issue, no later than on the date of payment of interest or discount on those bonds.

24c. At the request of the payer referred to in paragraphs 4d and 10, the issuer shall be obliged to confirm the submission of the statement referred to in paragraph 24a.

25. (repealed)

26. (repealed)

27. The declarations referred to in paragraphs 15, 21 and 24a shall be submitted in electronic form corresponding to the logical structure available in the Public Information Bulletin on the website of the office serving the minister responsible for public finance.

28. The minister responsible for public finance shall specify, by way of a regulation, the manner of sending the statements referred to in paragraphs 15, 21 and 24a by electronic means of communication, taking into account the need to ensure the security, reliability and non-repudiation of the data contained in these documents, as well as the need to protect them against unauthorised access.

29. The minister responsible for public finance may specify, by way of a regulation, groups of taxpayers, groups of payers or activities for which the application of paragraph 12 shall be excluded or limited, if the conditions for non-collection of tax, application of a tax rate or exemption resulting from specific provisions or double taxation agreements are met, taking into account the conditions of economic turnover, the specific status of certain groups of taxpayers and payers, and the specific nature of certain activities.

Article 41a. The payers referred to in Articles 32–35 and Article 41(1) shall, at the taxpayer's request, calculate and collect advance payments for income tax during the year, applying the higher tax rate specified in the scale referred to in Article 27(1) instead of the lowest rate specified in that scale.

Art. 41b. If the taxpayer has refunded unduly collected benefits which previously increased the taxable income, when determining the amount of tax (advance payments), the payers referred to in Articles 32, 33, 35 and 41 shall deduct from the income the amount of refunds made, including the tax collected (advance payment).

Article 41c. 1. A real estate company that does not have its registered office or management board in the territory of the Republic of Poland shall be obliged to appoint a tax representative.

2. A tax representative may be a natural person, a legal person or an organisational unit without legal personality, provided that it meets all of the following conditions:

1) it has its registered office at , its management at or , its place of business at or , its place of residence at , and its place of business at on the territory of the Republic of Poland at .
the Republic of Poland;

2) for 24 months preceding the date of conclusion of the agreement, it had no arrears in taxes constituting state budget revenue exceeding 3% of the amount of tax liabilities due in individual taxes, with the share of arrears in the amount of tax being determined in relation to the amount of payments due for the settlement period to which the arrears relate;

3) during the 24 months preceding the date of conclusion of the agreement, a natural person who is a taxpayer, and in the case of taxpayers who are not natural persons – a person who is a partner in a civil law partnership or commercial partnership without legal personality, a member of the management bodies, or a person keeping the accounting books, has not been convicted under the Act of 10 September 1999 – Fiscal Penal Code (Journal of Laws of 2024, item 628, 850,
879, 1685 and 1721) for committing a fiscal offence;

4) is authorised to provide professional tax advisory services in accordance with the provisions on tax advisory services or to provide bookkeeping services in accordance with the provisions on accounting.

3. A tax representative shall be appointed by way of a written agreement containing at least:

1) the names of the parties to the agreement and their addresses and identification details for the purposes of settling the tax referred to in Article 41(4f);

2) a statement by the entity which is appointed as a tax representative,
that the conditions referred to in paragraph 2 are met.

4. The tax representative shall perform, on behalf of and for the benefit of the real estate company for which it has been appointed, the obligations of the payer referred to in Article 41(4f).

5. A tax representative shall be jointly and severally liable with the real estate company for the tax liability which the tax representative settles on behalf of and for the benefit of the real estate company.

6. The provisions of paragraphs 1-5 shall not apply to real estate companies subject to income tax in a Member State of the European Union or in another country belonging to the European Economic Area on their total income, regardless of where it is earned.

7. In the event of failure to comply with the obligation referred to in paragraph 1, the real estate company shall be subject to a financial penalty. The financial penalty shall be imposed by the head of the tax office competent for the taxpayer, by way of a decision, in the amount of up to PLN 1,000,000.

8. In matters not regulated in paragraph 7, the provisions of Section IVA of the Act of 14 June 1960 – Code of Administrative Procedure (Journal of Laws of 2024, item 572) shall apply to the imposition of a financial penalty.

9. The provisions of Section IV of the Tax Ordinance shall apply accordingly to proceedings concerning the imposition of a financial penalty, with the proviso that an appeal against a decision to impose a financial penalty may be lodged with the director of the tax administration chamber.

Article 41d. 1. Upon request submitted by a taxpayer, payer or entity making payments through entities maintaining securities accounts or collective accounts, the tax authority shall issue an opinion on the payer's application of the tax rate resulting from the relevant double taxation agreement or on the non-collection of tax in accordance with such an agreement (opinion on the application of preferences), if the applicant has demonstrated in the application that the conditions for the application of the double taxation agreement have been met.

2. An application for an opinion on the application of preferences shall be submitted in electronic form corresponding to the logical structure available in the Public Information Bulletin on the website of the office serving the minister responsible for public finance. In the same manner, the application for an opinion on the application of preferences shall be supplemented with further facts presented to the tax authority and supplementary documentation.

3. An opinion on the application of preferences shall be refused in the following cases:

1) the taxpayer does not meet the conditions for the application of the double taxation agreement double taxation;
2) there are reasonable doubts as to the accuracy of the documentation attached to the application or the taxpayer's statement that he is the actual owner of the receivables;
3) there is a reasonable assumption that a decision will be issued pursuant to Article 119a of the Tax Ordinance or measures limiting contractual benefits, whereby the provision of Article 14b § 5c of the Tax Ordinance shall apply accordingly;

4) there is reasonable suspicion that the taxpayer referred to in Article 3(2a) does not conduct actual economic activity in the country of that taxpayer's registered office for tax purposes.

4. The refusal to issue an opinion on the application of preferences may be appealed to an administrative court. The tax authority shall inform the applicant of this right in the notice of refusal to issue an opinion on the application of preferences.

5. The opinion on the application of preferences shall be issued without undue delay, no later than within 6 months from the date of receipt of the application by the tax authority. The provision of Article 139 § 4 of the Tax Ordinance shall apply accordingly.

6. An application for an opinion on the application of preferences is subject to a fee of PLN 2,000, payable to the tax authority's account within 7 days of the date of submission of the application, under pain of leaving the application unexamined. The fee constitutes state budget revenue.

7. In the event of a significant change in circumstances that may affect the fulfilment of the conditions for the application of the double taxation agreement, the applicant shall, within 14 days of the date on which he became aware or, with due diligence, should have become aware of the change, inform the tax authority thereof.

8. The opinion on the application of preferences shall expire:

1) 36 months after the date of issue;

2) on the last day of the month following the month in which the deadline referred to in paragraph 7 expired, if, in accordance with that provision, the applicant informed the tax authority of a significant change in circumstances;

3) on the date on which the taxpayer to whom the opinion relates ceased to meet the conditions for the application of the double taxation agreement, if the applicant did not inform the tax authority thereof in accordance with paragraph 7.

9. In matters not regulated in paragraphs 1-8, the provisions of Article 44f(3), (5)-(8) and (11) and the provisions of Article 120, Article 121 § 1, Article 125, Article 126, Article 129, Articles 130, 135, 140, 143, 165 § 3b, 165a, 168, 169 § 1–2, Article 170, Article 171, Article 208, Article 213 in the scope of supplementing or correcting the instruction regarding the right to lodge a complaint with an administrative court, Article 214, Article 215 and Section IV, Chapters 3a, 5–7, 10, 11, 14, 16 and 23 of the Tax Ordinance.

10. The competent tax authority in matters of issuing opinions on the application of preferences is the head of the tax office competent for the place

the taxpayer's place of residence, and in the case of taxpayers referred to in Article 3(2a) and taxpayers who are beneficiaries of securities recorded in collective accounts, whose identity has not been disclosed to the payer in accordance with the procedure provided for in the Act of 29 July 2005 on trading in financial instruments – the head of the tax office competent in matters of taxation of foreign persons.

11. The minister responsible for public finance shall specify, by way of a regulation, the manner of submitting a request for an opinion on the application of preferences by means of electronic communication, taking into account the need to ensure the security, reliability and non-repudiation of the data contained in the request, as well as the need to protect them against unauthorised access.

12. In order to streamline proceedings in matters concerning the issuance of opinions on the application of preferences, the minister responsible for public finance may specify, by way of a regulation, the local jurisdiction of tax authorities in these matters in a manner different from that specified in paragraph 10, taking into account the need to ensure uniform application of the provisions on issuing opinions on the application of preferences.

Art. 42. 1. The payers referred to in Art. 41 shall transfer the amounts of advance tax payments collected and the amounts of flat-rate tax by the 20th day of the month following the month in which the advance payments (tax) to the account of the tax office through which the head of the tax office competent for the payer's place of residence performs his duties, and if the payer is not a natural person, according to the registered office or place of business, if the payer does not have a registered office. However, if the tax has been collected in accordance with Article 30a(2a), the payers referred to in Article 41(10) shall transfer the amount of this tax to the account of the tax office through which the head of the tax office competent for the taxation of foreign persons performs his duties.

1a. By the end of January of the year following the tax year, the payers referred to in Article 41 shall be required to send to the tax office through which the head of the tax office competent for the payer's place of residence performs his duties, and if the payer is not a natural person, according to the registered office or place of business, if the payer does not have a registered office, annual declarations in accordance with the established template. However, annual

declarations concerning tax collected in accordance with Article 30a(2a) shall be sent by the payers referred to in Article 41(10) to the tax office through which the head of the tax office competent in matters of taxation of foreign persons performs his duties. The provision of Article 38(1b) shall apply accordingly.

2. The payers referred to in paragraph 1 shall be obliged to send to the taxpayers referred to in:

1) in Article 3(1), and to the tax offices through which the heads of tax offices competent for the taxpayer's place of residence perform their duties – personalised information on the amount of income referred to in Article 41(1), prepared in accordance with the established template;

2) in Article 3(2a), and to the tax offices through which the heads of tax offices competent in matters of taxation of foreign persons perform their tasks, by the end of February of the year following the tax year – personalised information prepared in accordance with the established template, also when the payer prepared and submitted information during the tax year in accordance with the procedure provided for in paragraph 4.

3. If the payer ceases to conduct business before the deadline for submitting the information referred to in paragraph 2(2), the payer shall submit this information no later than on the date of cessation of business.

4. Upon a written request of the taxpayer referred to in Article 3(2a), the payer shall, within 14 days of the date of submission of such request, prepare and send to the taxpayer and to the tax office through which the head of the tax office competent in matters of taxation of foreign persons performs his duties, the personal information referred to in paragraph 2(2).

5. The information referred to in paragraph 2(1) shall also be prepared and submitted by the entities referred to in Article 41, providing the services referred to in Article 21(1)(46), (148) and (152)-(154).

6. The information referred to in paragraph 2(2) shall also be prepared and submitted by the entities referred to in Article 41, where, on the basis of a double taxation agreement or a statute, they are not obliged to collect tax referred to in Articles 29–30a. The provisions of paragraphs 3 and 4 shall apply accordingly.

7. (repealed)

8. If the payer referred to in Article 41(10) has made a payment of the amount due under Article 30a(1)(2), (2a), 4 or 5, to taxpayers who are persons entitled to securities recorded in collective accounts, whose identity has not been disclosed to the payer in accordance with the procedure provided for in the Act referred to in Article 5a(11), the provisions of paragraphs 2-6 shall not apply in respect of such taxpayers.

9. If the sum of payments (benefits) made to a related entity within the meaning of Article 23m(1)(4) or money or monetary values made available to the taxpayer for the reasons specified in Article 29(1)(1) and Article 30a(1)(1)-5a, the total amount of which exceeded the amount referred to in Article 41(12), includes receivables on which tax has not been collected in accordance with Article 41(2a), the payer shall be obliged to notify the value and type of payments (benefits) or money or monetary values made available in the tax year on which tax has not been collected, providing the identification details of the taxpayer conducting business through a foreign establishment located in the territory of the Republic of Poland, in particular the full name, address and tax identification number of the taxpayer and the address of the taxpayer's foreign establishment. This notification shall also be submitted in the event of further payments (benefits) made to the same taxpayer in a given tax year or the making available of further money or monetary values on which no tax has been collected in accordance with Article 41(2a).

9a. The notification referred to in paragraph 9 shall not be submitted if the amount of payments made on which no tax has been collected pursuant to Article 41(2a) did not exceed PLN 500,000 in the tax year applicable to the payer of such payments, with Article 41(13) applying accordingly.

10. The notification referred to in paragraph 9 shall be submitted to the head of the tax office competent in matters of taxation of foreign persons, by the 20th day of the month following the month in which the tax was not collected pursuant to Article 41(2a).

Art. 42a. 1. Natural persons conducting business activity, legal persons and their organisational units, as well as organisational units without legal personality, which make payments or provide benefits referred to in Art. 20(1), with the exception of income (revenues) listed in Art. 21, Art. 52, Art. 52a

and Art. 52c, and income from which tax collection has been waived under the provisions of the Tax Ordinance, from which they are not required to collect advance tax payments or flat-rate income tax, shall be required to prepare information in accordance with the established template on the amount of income and send it to the taxpayer and the tax office with the help of which the head of the tax office competent for the taxpayer's place of residence performs his duties, and in the case of taxpayers referred to in Article 3(2a), to the tax office with the help of which the head of the tax office competent for the taxation of foreign persons performs his duties.

2. The provision of paragraph 1 shall also apply to a farmer who pays remuneration under a harvest assistance contract.

Article 42b.

(repealed) **Article**

42c. (repealed)

Article 42d.

(repealed)

Art. 42e. 1. Where the benefits specified in Art. 12 are paid on behalf of the workplace by an enforcement authority or an entity which is not the legal successor of the workplace which takes over its obligations arising from the service relationship, employment relationship, outwork relationship and cooperative employment relationship, it shall be obliged, as a payer, to collect advance tax payments, applying the lowest tax rate specified in the scale referred to in Article 27(1) to the benefits paid.

2. When calculating the advance payment referred to in paragraph 1, the following shall be taken into account:

1) tax-deductible costs in the amount specified in Article 22(2)(1);

2) social security contributions referred to in Article 26(1)(2)(b),

deducted in a given month, in accordance with separate regulations.

3. (repealed)

4. The payer shall transfer the amounts of advance tax payments collected by the 20th day of the month following the month in which the advance payments were collected to the account of the tax office through which the head of the tax office competent for the payer's place of residence performs his duties, and if the payer is not a natural person, according to the registered office or place of business, if the payer does not have a registered office.

5. By the end of January of the year following the tax year, the payer is obliged to send to the tax office through which

the head of the tax office competent for the payer's place of residence performs his duties, and if the payer is not a natural person, according to the registered office or place of business, if the payer does not have a registered office, an annual return, according to the established template. The provision of Article 38(1b) shall apply accordingly.

6. The payer is obliged to send the taxpayer and the tax office through which the head of the tax office competent for the taxpayer's place of residence performs his duties, and in the case of a taxpayer referred to in Article 3(2a), to the tax office through which the head of the tax office competent in matters of taxation of foreign persons performs his duties, personalised information prepared in accordance with the established template.

Article 42f. 1. During the period referred to in Article 1a(2)(1) or (2), an enterprise in succession shall be deemed to be the payer referred to in Article 32, Article 35(1)(9) and Article 41.

2. During the period referred to in Article 1a(2)(1) or (2), the enterprise
in succession shall also be subject to the obligations specified in Article 42a.

3. The obligations of the enterprise in succession shall be performed by the succession administrator, and in the absence thereof, by the persons referred to in Article 14 of the Act on Succession Management, performing the activities referred to in Article 13 of that Act.

4. The declarations and information submitted shall include the amounts of receivables paid and benefits provided since the beginning of the tax year, including receivables and benefits paid or provided since the opening of the succession.

5. The provisions of paragraphs 1-4 shall not apply if the deceased entrepreneur was a partner in a civil law partnership.

6. The date of cessation of activity referred to in Article 38(1b) and Article 42g(2) shall be the date referred to in Article 1a(2)(1) or (2).

7. The tax office competent for the enterprise in succession shall be the tax office through which the head of the tax office competent for the last place of residence of the deceased entrepreneur performs his or her duties.

Art. 42g. 1. Payers and entities referred to in Art. 42a shall send an annual tax calculation referred to in Art. 34(7) and information referred to in Art. 34(8), Art. 35(6), Art. 39(1) and (3), Article 42(2)(1), Article 42a(1) and Article 42e(6):

1) to the tax office – by the end of January of the year following
the tax year;

2) to the taxpayer – by the end of February of the year following the the tax year.

2. In the event of cessation of business activity before the deadlines referred to in paragraph 1, the obligation to submit the annual tax calculation and the information referred to in paragraph 1 shall be fulfilled no later than on the date of cessation of business activity.

Art. 43. 1. Taxpayers who determine their income from special types of agricultural production using estimated income standards for a specific area of crops or animal production units, as specified in Annex 2, shall be required to submit to the tax office, by 20 January of the tax year, a declaration in accordance with the established template on the types and sizes of intended production in the tax year.

2. (repealed)

3. The taxpayers referred to in paragraph 1 shall be required to notify the competent head of the tax office within 7 days of:

1) changes in production compared to that specified in the declaration;

2) the cessation or commencement during the year of the operation of facilities enabling a year-round production cycle;

3) the commencement of special agricultural production during the tax year; in this case, these taxpayers shall submit the declarations referred to in paragraph 1 on the types and volumes of planned production for that year.

4. The taxpayers referred to in paragraph 1 shall be obliged to pay monthly advance payments in the amount of determined by decision of the head of the tax office within the time limits specified in Article 44(6).

5. If the taxpayers referred to in paragraph 1 earn income other than income from special types of agricultural production, they shall pay advance payments on that income in accordance with the rules specified in Article 44, without combining that income with income from special types of agricultural production.

Article 44. 1. Taxpayers earning income:

1) from the economic activity referred to in Article 14,

2) (repealed)

– are obliged to pay advance income tax payments during the tax year without being requested to do so, in accordance with the rules set out in paragraph 3, subject to paragraphs 3f–3h.

1a. Taxpayers who earn income without the intermediation of payers:

1) from employment abroad,

2) from foreign pensions and disability benefits,

3) from the sources specified in Article 13(2), (4) and (6)-(9), subject to paragraph 1(1)

– are obliged to pay income tax advances during the tax year without being requested to do so, according to the rules specified in paragraph 3a.

1b. Taxpayers referred to in Article 3(2a) who obtain income specified in Article 29 without the intermediation of payers are obliged to pay flat-rate income tax without being requested to do so, in accordance with the rules referred to in Article 29, for the months in which they obtained this income, by the 20th day of the following month for the previous month. The tax for December is payable before the deadline for filing the tax return.

1c. A taxpayer who obtains income from other sources referred to in Article 10(1)(9) on the basis of a contract to which the provisions of civil law concerning contracts of mandate or specific task contracts apply may pay monthly advances during the tax year applying the lowest tax rate specified in the scale referred to in Article 27(1) to the income earned. When calculating the advance payment, the taxpayer may apply a higher tax rate specified in the scale referred to in Article 27(1). Taxable income shall be deemed to be the income earned in a given month, less the costs of obtaining it specified in Article 22(9)(6).

1d. A taxpayer referred to in paragraph 1c who has made an advance payment during the tax year shall be obliged to pay further advance payments on income obtained from this source in the following months, until the end of that tax year.

1e. (repealed)

1f. Monthly advance payments calculated in the manner specified in paragraph 1c shall be paid by the taxpayer to the tax office account by the 20th day of the month following the month in which the income was earned, and for December – before the deadline for filing the tax return.

1g. A taxpayer who obtains income under a harvest assistance contract may pay monthly advance payments during the tax year, applying the lowest tax rate specified in the scale referred to in Article 27(1) to the income obtained. When calculating the advance payment, the taxpayer may apply a higher tax rate specified in the scale referred to in Article 27(1).

2. Income from business activity constituting the basis for calculating advance payment for taxpayers keeping tax revenue and expense ledgers is

the difference between the income and the costs of obtaining it resulting from these books. However, if at the end of the month the taxpayer prepares an inventory of goods, raw materials and auxiliary materials, or the head of the tax office orders such an inventory to be prepared, the income shall be determined in accordance with the rules specified in Article 24(2).

3. The taxpayers referred to in paragraph 1 shall be required to pay monthly advance payments. Subject to paragraph 3f, the amount of advance payments shall be determined as follows:

1) the obligation to pay advance payments arises from the month in which the income exceeded the amount constituting the quotient of the tax-reducing amount and the lowest tax rate specified in the first tax scale bracket referred to in Article 27(1);
2) the advance payment for that month shall be the tax calculated on that income in accordance with the rules laid down in Articles 26 and 27;
3) the advance payment for subsequent months shall be determined as the difference between the tax due on income earned since the beginning of the year and the sum of advance payments for the preceding months.

3a. Taxpayers who earn the income referred to in paragraph 1a are required to pay advance payments by the 20th day of the month following the month in which the income was earned, and for December – before the deadline for filing the tax return, pay monthly advance payments, applying the lowest tax rate specified in the scale referred to in Article 27(1) to the income earned. The income referred to in the first sentence shall be deemed to be the income earned during the month after deducting the monthly costs of obtaining income in the amount specified in Article 22(2) or (9) and the contributions paid in a given month referred to in Article 26(1)(2) or (2a). When calculating the advance payment, the taxpayer may apply the higher tax rate specified in the scale referred to in Article 27(1).

3aa. (repealed)

3ab. The taxpayer may reduce the advance payment calculated in the manner specified in paragraph 3a by an amount not exceeding 1/12 of the tax-reducing amount, with the provisions of Articles 31b and 31c applying accordingly.

3b. (repealed)

3c. (repealed)

3d. Taxpayers referred to in Article 3(2a) who obtain income from abroad from work performed in the territory of the Republic of Poland on the basis of an employment relationship are obliged to pay advance payments in accordance with the rules specified in paragraph 3a, after

exceeding the period which, in accordance with the double taxation agreement, constitutes a condition for exemption from taxation of such income in the territory of the Republic of Poland; in this case, when calculating the first advance payment, the taxpayer shall be obliged to take into account the income obtained since the beginning of the tax year.

3e. The provisions of paragraphs 1a and 7 shall apply taking into account double taxation agreements to which the Republic of Poland is a party. The provisions of Article 27(9) and (9a) shall apply accordingly.

3f. Taxpayers referred to in paragraph 1(1), taxed according to the rules specified in Article 30c, shall be required to pay monthly advance payments to the tax office account in the amount of the difference between the tax due on income earned since the beginning of the year, calculated in accordance with Article 30c, and the sum of advance payments due for previous months.

3g. Taxpayers referred to in paragraph 1(1) who are small taxpayers and taxpayers starting a business referred to in Article 22k paragraph 11, may pay quarterly advance payments . The amount of advance payments, subject to paragraph 3h, shall be determined as follows:

1) the obligation to pay advance payments arises from the quarter in which the income exceeded the amount constituting the quotient of the tax-reducing amount and the lowest tax rate specified in the first tax scale bracket referred to in Article 27(1);
2) the advance payment for that quarter shall be the tax calculated on the income according to the rules specified in Articles 26 and 27;
3) the advance payment for subsequent quarters shall be determined as the difference between the tax due on income earned since the beginning of the year and the sum of advance payments for previous quarters.

3h. Taxpayers referred to in paragraph 3f who are small taxpayers and taxpayers starting a business may pay quarterly advance payments to the tax office account in the amount of the difference between the tax due on income earned since the beginning of the year, calculated in accordance with Article 30c, and the sum of advance payments due for previous quarters. The provision of Article 22k(11) shall apply accordingly.

3i. On the choice of the method of paying advance payments according to the rules referred to in paragraph 3g or 3h, taxpayers shall provide information in the tax return referred to in Article 45(1) or

paragraph 1a(2), submitted for the tax year in which they applied the quarterly method of paying advance payments.

4. (repealed)

5. (repealed)

6. Monthly advance payments on the income referred to in paragraph 1 shall be paid by the 20th day of each month for the previous month. Taxpayers shall pay quarterly advance payments by the 20th day of each month following the quarter for which the advance payment is made. The advance payment for the last month or the last quarter of the tax year shall be paid by the taxpayer by 20 January of the following tax year.

6a. (repealed)

6aa. If a deceased entrepreneur paid advance payments in the tax year in which he died in the manner specified in paragraph 3g or 3h, the inherited enterprise may use this method in that tax year.

6ab. The first advance payment shall be calculated by the enterprise in succession for the month or quarter in which the notification referred to in Article 12(1c) of the Act of 13 October 1995 on the rules for the registration and identification of taxpayers and payers was made, and if no notification has been made – for the month or quarter in which the succession management was established, taking into account in its calculation the income of the enterprise earned since the opening of the succession, and shall pay it by the 20th day of the following month or quarter.

6b. Taxpayers referred to in paragraph 1(1), with the exception of enterprises in succession, may pay advance payments monthly in a given tax year in a simplified form in the amount of 1/12 of the calculated amount, subject to paragraph 6h, using the tax scale applicable in a given tax year specified in Article 27(1), from income from non-agricultural economic activity shown in the tax return on the amount of income earned (loss incurred) referred to in Article 45(1), or in the tax return on the amount of income earned (loss incurred) from non-agricultural economic activity or special sections of agricultural production, taxed according to the rules specified in Article 30c, referred to in Article 45(1a)(2), submitted:

1) in the tax year preceding the given tax year, or

2) in the tax year preceding the given tax year by two years – if in the tax return, referred to in point 1, taxpayers did not declare income from non-agricultural economic activity or declared income in the amount

not exceeding the amount constituting the quotient of the tax-reducing amount and the lowest tax rate specified in the first tax bracket referred to in Article 27(1); if, in that return, taxpayers also did not show income from non-agricultural economic activity or showed income from that source not exceeding the amount constituting the quotient of the tax-reducing amount and the lowest tax rate specified in the first tax bracket referred to in Article 27(1), it is not possible to make advance payments in a simplified form.

6c. Taxpayers who have opted for the simplified form of advance payments are required to:

1) (repealed)

2) use the simplified form of advance payments throughout the tax year;

3) pay advance payments within the deadlines specified in paragraph 6;

4) settle their tax for the tax year in accordance with Article 45.

6d. Taxpayers shall indicate their choice of advance payment method in accordance with the rules referred to in paragraph 6b in the tax return referred to in Article 45(1) or (1a)(2) submitted for the tax year in which they made advance payments in a simplified form.

6e. The provisions of paragraphs 6b-6d and 6h shall not apply to taxpayers who commenced their business activity for the first time in the tax year or in the year preceding the tax year.

6f. If a taxpayer submits a correction to the return referred to in Article 45(1) or (1a)(2), resulting in a change in the basis for calculating monthly advance payments made in a simplified form, the amount of those advance payments:

1) is increased or decreased in accordance with the change in the basis for their calculation – if the corrective return was submitted to the tax office by the end of the year preceding the year for which the advance payments are paid in a simplified form;

2) shall be increased or decreased starting from the month following the month in which the correction was submitted, in accordance with the change in the basis for their calculation – if the corrective return was submitted in the year for which the advance payments are paid in a simplified form;

3) remains unchanged – if the corrective return was submitted later than
later than that specified in points 1 and 2.

6g. If the competent tax authority determines a different amount of income from non-agricultural economic activity than the amount of income from that activity shown in the return referred to in Article 45(1) or (1a)(2) or in the corrective return, the provisions of paragraph 6f shall apply accordingly.

6h. Taxpayers taxed in a given tax year under the rules specified in Article 30c who have opted for a simplified form of advance payments shall calculate the amount of advance payments on the income referred to in paragraph 6b, applying a tax rate of 19%.

6i. (repealed)

6j. The taxpayer may reduce the advance payment calculated in accordance with paragraph 6h by an amount equal to 19% of the health insurance contribution referred to in Article 30c(2)(2) paid by the taxpayer in a given month. The provisions of Article 30c(2a)-(2c) shall apply accordingly. The amount referred to in Article 30c(2b) shall include health insurance contributions constituting the basis for calculating the reduction specified in the first sentence.

7. Taxpayers referred to in Article 3(1) who are temporarily staying abroad and who earn income from sources located outside the territory of the Republic of Poland shall be obliged to pay an advance payment of income tax by the 20th day of the month following the month in which they returned to the country. If the payment deadline falls after the end of the tax year, the tax due shall be paid before the deadline for filing the tax return. Paragraph 3a shall apply accordingly to the calculation of the advance payment due.

7a. Taxpayers who have started non-agricultural business activity for the first time shall be exempt, under the conditions specified in paragraph 7c, from the obligations arising from paragraph 6 in respect of that activity in the tax year following:

1) immediately after the year in which they commenced such activity, if in the year of commencement the activity was conducted for at least 10 full months, or
2) two years after the year in which they commenced this activity, if the condition referred to in point 1 has not been met.

7b. A taxpayer commencing non-agricultural business activity for the first time shall be understood as a person who, in the year of commencing such activity, as well as in the period of three years from the end of the year preceding the year of commencing such activity, did not conduct non-agricultural business activity independently

or as a partner in a company that is not a legal person, and such activity was not conducted by the spouse of that person, provided that the spouses had joint property at that time.

7c. The exemption referred to in paragraph 7a applies to taxpayers who meet all of the following conditions:

1) in the period preceding the year of benefiting from this exemption, they achieved income from non-agricultural economic activity on a monthly average basis in an amount equivalent to at least EUR 1,000 in PLN, converted at the average euro exchange rate announced by the National Bank of Poland on the last day of the year preceding the year of commencing this activity;
2) from the date of commencing non-agricultural economic activity until 1 January of the tax year in which they begin to benefit from the exemption, they were small entrepreneurs within the meaning of the provisions on economic activity, and in the period preceding the year of benefiting from the exemption, they employed, on the basis of an employment contract, at least 5 persons per month, calculated as full-time equivalents;
3) in their non-agricultural business activities, they do not use fixed assets, intangible assets or other assets of significant value made available to them free of charge by persons classified in tax groups I and II within the meaning of the provisions on inheritance and gift tax, previously used in business activities conducted by those persons and constituting their property;
4) they have submitted to the competent head of the tax office a statement on the use of this exemption; the statement shall be submitted in writing by 31 January of the tax year in which the taxpayer will use this exemption;
5) in the year of using the exemption, they are taxed according to the rules specified in Article 27.

7d. Significant value shall be understood as the total value of fixed assets and intangible assets, as well as other assets listed in section 7c(3), constituting the equivalent in PLN of at least EUR 10,000, converted at the average euro exchange rate announced by the National Bank of Poland on the last day of the year preceding the year of using this exemption. Article 19 shall apply accordingly when determining these values.

7e. Taxpayers benefiting from the exemption referred to in paragraph 7a shall disclose in their tax return on the amount of income earned (loss incurred) submitted for the tax year in which they benefited from this exemption, the income earned (loss incurred) from non-agricultural economic activity. This income shall not be combined with income from other sources. The loss shall be settled in accordance with Article 9.

7f. Income from non-agricultural economic activity referred to in paragraph 7e shall be combined with income (loss) from this source, reported in tax returns on income earned (losses incurred) submitted for five consecutive years immediately following the year in which the taxpayer benefited from the exemption – in the amount of 20% of that income in each of those years. This provision shall also apply accordingly to taxpayers who, in the years following the year of benefiting from the exemption, chose the method of taxation specified in Article 30c.

7g. Taxpayers lose their right to the exemption if, in the year or for the year of benefiting from the exemption or in the following five tax years, respectively:

1) they liquidate their business activity or are declared bankrupt or the company of which they are partners, which is not a legal person, is declared bankrupt, or
2) they have achieved income from non-agricultural business activity on a monthly average basis in an amount equivalent to less than EUR 1,000 in PLN, converted at the average euro exchange rate announced by the National Bank of Poland on the last day of the previous year, or
3) in any month in those years, they reduce the average monthly employment under employment contracts by more than 10% in relation to the highest average monthly employment in the year preceding the tax year, or
4) have arrears in taxes constituting state budget revenue, customs duties and social security and health insurance contributions referred to in the Act of 27 August 2004 on healthcare services financed from public funds; the determination or assessment in another form – as a result of proceedings conducted by the competent authority – of arrears under the above-mentioned titles does not deprive the taxpayer of the right to benefit from the exemption if the arrears, together with interest for late payment, are settled within 14 days of the date of delivery of the final decision.

7h. The average monthly employment referred to in paragraph 7c(2) and paragraph 7g(3) shall be calculated on a full-time basis, disregarding decimal places;

if the average monthly employment is less than one, the number one shall be assumed.

7i. Taxpayers who have lost their right to exemption:

1) in the tax year in which they benefit from this exemption – they are obliged to pay the advance payments due on income earned since the beginning of the year, by the 20th day of the month following the month in which they lost their right to the exemption, unless, before the expiry of that deadline, they have submitted a tax return on the amount of income earned (loss incurred) in the tax year in which they benefited from the exemption and paid tax in accordance with the rules laid down in Article 45; in such cases, no interest for late payment shall be charged on arrears in respect of those advance payments;

2) in the period between 1 January of the following year and the deadline for submitting a tax return on the amount of income earned (loss incurred) for the tax year in which they benefited from the exemption – they are required to submit a tax return on the amount of income earned (loss incurred) in the tax year in which they benefited from the exemption and to pay tax in accordance with the rules set out in Article 45; in this case, no interest for late payment shall be charged on arrears in respect of advance payments for individual months of the year in which taxpayers benefited from the exemption;

3) in the period between the expiry of the deadline for submitting a tax return on the amount of income earned (loss incurred) for the tax year in which they benefited from the exemption, and the deadline for submitting a tax return on income earned (losses incurred) for the first tax year following the year in which they benefited from the exemption, they are required to submit a correction to the tax return referred to in point 2 and pay the tax together with interest for late payment; interest shall be calculated from the day following the deadline for submitting the tax return on the amount of income earned (loss incurred) for the tax year in which they were required to submit the return;

4) in the period from the expiry of the deadline for submitting the tax return on the amount of income earned (loss incurred) for the first tax year following the year in which they benefited from the exemption, until the end of the fifth tax year following the year in which they benefited from the exemption, they are required to submit:

a) corrections to the tax return referred to in point 2 and payment of tax together with interest for late payment; interest shall be calculated from the day following the expiry of the deadline for submitting the tax return on the amount of income earned (loss incurred) for the tax year in which they were required to submit the return,

b) corrections to tax returns on the amount of income earned (loss incurred), in which they added 20% of the income referred to in paragraph 7e, submitted for subsequent tax years following the year of exemption.

7j. The provision of paragraph 7i shall also apply accordingly to taxpayers who have opted for taxation under the rules specified in Article 30c.

7k. The aid referred to in paragraphs 7a, 7e and 7f constitutes *de minimis* aid granted within the scope and under the rules laid down in directly applicable Community legislation on *de minimis* aid.

7l. Where the deceased entrepreneur benefited from the exemption referred to in referred to in paragraph 7a, the provisions of paragraphs 7f–7j shall apply to the enterprise in succession.

8. (repealed)

9. (repealed)

10. A taxpayer referred to in paragraph 1(1) who has suspended business activity on the basis of the provisions on suspension of business activity shall be exempt, in respect of that activity, from the obligations arising from paragraph 1(1), paragraphs 3, 3f, 3g, 6 and 6b for the period covered by the suspension.

11. A taxpayer referred to in paragraph 1(1) who is a partner in a general partnership or a professional partnership which has suspended its business activity on the basis of the provisions on the suspension of business activity shall be exempt, in respect of that activity, from the obligations arising from paragraph 1(1), paragraph 3, 3f, 3g, 6 and 6b for the period covered by the suspension.

12. Taxpayers referred to in paragraph 11 shall report the period of suspension of business activity in a tax year pursuant to the provisions on suspension of business activity in the tax return referred to in Article 45(1) or (1a)(2), submitted for the tax year in which the activity was suspended.

13. After the period of suspension of business activity pursuant to the provisions of concerning the suspension of business activity

economic activity, the taxpayers referred to in paragraphs 10 and 11 shall pay advance payments in accordance with

the rules referred to in paragraphs 3, 3f, 3g, 6 and 6b.

14. nd taxpayers conducting special divisions of agricultural production and determining their income on the basis of their books of account, the provisions of paragraphs 3, 3f–3i, 6 and 6b–6h shall apply accordingly.

15. Taxpayers referred to in paragraph 1(1) may not pay the advance payment calculated according to the rules specified in paragraphs 3 and 3f–3h if the tax due on income earned since the beginning of the year, less the sum of advance payments made since the beginning of the year, does not exceed PLN 1,000. If the tax due on income earned since the beginning of the year, less the sum of advance payments made since the beginning of the year, exceeds PLN 1,000, the difference between the tax due on income earned since the beginning of the year and the sum of advance payments made since the beginning of the year shall be paid.

16. The provision of paragraph 15 shall also apply to taxpayers who, in addition to income from non-agricultural economic activity , also earn income from special types of agricultural production, the income from which is determined on the basis of the books kept.

17. The income constituting the basis for calculating the advance payment referred to in paragraphs 3 and 3f-3h:

1) may be reduced by the value of receivables classified as accrued income for the payment of a cash benefit within the meaning of Article 4(1a) of the Act on Counteracting Excessive Delays, which has not been settled or sold, whereby the reduction shall be made starting from the settlement period in which 90 days have elapsed from the payment deadline specified in the invoice (bill) or in the contract, until the period in which the claim was settled or sold;
2) it shall be increased by the value of the obligation to pay a cash benefit within the meaning of Article 4(1a) of the Act on Counteracting Excessive Delays, which has not been settled, included in tax-deductible costs, whereby the increase in income constituting the basis for calculating the advance payment is made starting from the settlement period in which 90 days have elapsed from the payment deadline specified in the invoice (bill) or in the contract, until the period in which the liability is settled.

18. If the value of the reduction in income constituting the basis for calculating the advance payment, due under paragraph 17(1), exceeds that income, the reduction in income by the non-deductible value shall be made in subsequent settlement periods of the tax year for which the right to reduction arose. The reduction in income in subsequent periods shall be made if the claim has not been settled or sold.

19. The reduction under paragraph 17(1) shall be made if, by the advance payment deadline specified in paragraph 6, the debt has not been settled or sold.

20. Increases under paragraph 17(2) shall be made if the liability has not been settled by the advance payment deadline specified in paragraph 6.

21. A taxpayer who has reduced the income constituting the basis for calculating the advance payment pursuant to paragraph 17(1) shall be obliged to increase the income constituting the basis for calculating the advance payment in the settlement period of the tax year in which the receivable was settled or sold.

22. A taxpayer who has increased the income constituting the basis for calculating the advance payment pursuant to paragraph 17(2) shall reduce the income constituting the basis for calculating the advance payment in the settlement period of the tax year in which the liability was settled.

23. The provisions of paragraphs 17-22 shall apply accordingly when calculating the tax due referred to in paragraph 15.

24. In matters not regulated by in paragraphs 17–23, the provisions of Article 26i shall apply accordingly.

25. The provisions of paragraphs 17–24 shall not apply to receivables and liabilities subject to inclusion in:

1) income on the date of settlement of receivables in accordance with Article 14c paragraph 2, except where such receivables are credited to income on the date specified in accordance with Article 14c paragraph 2 points 1 and 2, and
2) tax-deductible costs in accordance with Article 22(4a) and (4b).

26. In the case of receivables classified as revenue on the date specified in accordance with Article 14c(2)(1) and (2), the taxpayer shall reduce the income constituting the basis for calculating the advance payment when calculating the advance payment for the period in which the revenue was determined on that date. The provision of Article 26i(10)(2) shall not apply.

Article 44a. (repealed)

Article 44b. (repealed)

Chapter 7a

(repealed)

Chapter 7b

Tax refund on paid receivables

Art. 44f. 1. The tax authority shall, upon request, refund the tax collected in accordance with Art. 41(12). The amount of tax to be refunded shall be determined on the basis of exemptions or rates resulting from specific provisions or double taxation agreements to which the Republic of Poland is a party.

2. An application for a tax refund may be submitted by:

1) a taxpayer, including a taxpayer referred to in Article 3(2a), who, in connection with the receipt of a receivable on which tax has been levied, generates income subject to taxation in accordance with the provisions of this Act,
2) a payer, if they paid the tax from their own funds and bore the economic burden of that tax

– hereinafter referred to as the "applicant".

3. The application for a tax refund shall contain a statement as to the accuracy of the facts presented in the application and as to the conformity of the documentation attached to the application with the original. The obligation to submit the statement referred to in the first sentence shall also apply at a later stage of the proceedings in relation to subsequent facts presented and supplementary documentation provided.

4. The application for a tax refund shall be accompanied by documentation allowing its validity to be established, in particular:

1) a certificate of residence of the taxpayer, whereby the provisions of Article 41(9a) and (9b) shall apply , as appropriate;
2) documentation concerning bank transfers or other documents indicating the method of settlement or transfer of the amounts covered by the application;
3) documentation concerning the obligation to pay the receivables;
4) a statement by the taxpayer that, with regard to the activity in connection with which the tax refund application is submitted, the taxpayer is the entity subject to tax liability, as well as a statement by the taxpayer that the taxpayer or its foreign establishment is the actual owner of the receivables paid – in the case referred to in paragraph 2(1);

5) a statement by the taxpayer that he conducts actual business activity in the country of his residence for tax purposes, which is related to the income obtained – in the case referred to in section 2(1), when the amounts due are obtained in connection with the business activity conducted;

6) documentation indicating the contractual arrangements on the basis of which the payer paid the tax from its own funds and bore the economic burden of that tax – in the case referred to in paragraph 2(2);

7) the applicant's justification that the conditions covered by the declarations referred to in points 4 and 5 are met.

4a. The provisions of paragraph 4(4) and (5) shall apply where separate provisions or double taxation agreements require verification of the conditions referred to in those provisions.

5. In the case of a tax refund, the tax authority shall issue a decision specifying the amount of the refund, subject to paragraph 10.

6. Subject to paragraph 7, the tax refund shall be made without undue delay, but no later than within 6 months from the date of receipt of the tax refund application. The provision of Article 139 § 4 of the Tax Ordinance shall apply accordingly. The time limit specified in the first sentence shall run anew from the date of receipt of the amended tax refund application.

7. If the information available indicates a high probability that the refund is unjustified and the possibilities of obtaining information decisive for the justification of the refund under national law have been exhausted, as a result of which it is not possible to verify the justification of the refund within the time limit referred to in paragraph 6, the tax authority may extend the specified tax refund deadline until the verification of the tax refund application has been completed as part of a tax audit, customs and tax audit or tax proceedings, including the audit referred to in paragraph 9.

8. In order to verify the refund, the tax authority shall, immediately after receiving the application for a refund, take measures consisting in particular of:

1) submitting a request for tax information to the competent authority of another country, including with regard to the taxpayer's compliance with the conditions referred to in paragraph 4, points 4 and 5, respectively;

2) verifying the consistency of the data provided in the request with the data held by the tax authority or obtained at the request referred to in point 1,

with the conditions for non-collection of tax, application of an exemption or tax rate resulting from specific provisions or double taxation agreements to which the Republic of Poland is a party, and determining whether the taxpayer referred to in Article 3(2a) actually conducts business activity in the country where they are resident for tax purposes.

9. Where justified by the circumstances of the case, in particular where, despite the measures taken, doubts remain as to whether the taxpayer meets the conditions for non-collection of tax, the application of an exemption or tax rate resulting from specific provisions or double taxation agreements, the verification of the validity of the tax refund application may also include a tax audit in the taxpayer's country of residence for tax purposes.

10. If the tax refund application does not raise any doubts, the tax authority shall immediately refund the amount specified in the application without issuing a decision. If the tax refund referred to in the preceding sentence has been made unduly or in an amount higher than due, no proceedings for fiscal offences and fiscal misdemeanours shall be instituted in respect of such tax refund.

11. The tax refund application shall be submitted in electronic form corresponding to the logical structure available in the Public Information Bulletin on the website of the office serving the minister responsible for public finance. The tax refund application shall be supplemented in the same manner with regard to the presentation of further facts to the tax authority and the submission of supplementary documentation.

12. If the tax refund application is not accompanied by the documentation referred to in paragraph 4, the tax authority shall request the applicant to remedy the deficiencies within 14 days of the date of delivery of the request, with the instruction that failure to remedy these deficiencies will result in the tax refund application being left unexamined. A decision shall be issued on leaving the refund application unexamined, which may be appealed against.

13. Tax not refunded by the tax authority within the time limit referred to in paragraph 6 shall be subject to interest at a rate corresponding to the extension fee.

14. The tax refund shall be made to the applicant's bank account or to the applicant's account at a cooperative savings and loan credit union. Where the tax refund is made to the applicant's account held outside the country, the amount refunded shall be reduced by the costs of making the refund.

15. The tax authority competent in tax refund matters is the head of the tax office competent for the taxpayer's place of residence, and in the case of taxpayers referred to in Article 3(2a), the head of the tax office competent for the taxation of foreign persons.

16. In matters not covered by paragraphs 1–15, 17 and 18, the provisions of the provisions of Articles 130, 131, 135, 140, 141, 143 and Section IV of Chapters 1, 3a, 5–16, 17–20, 22 and 23 of the Tax Ordinance shall apply accordingly.

17. The minister responsible for public finance shall specify, by way of a regulation, the manner of submitting a tax refund application by electronic means of communication, taking into account the need to ensure the security, reliability and non-repudiation of the data contained in the application, as well as the need to protect them against unauthorised access.

18. In order to streamline proceedings in matters concerning tax refunds, the minister responsible for public finance may specify, by way of a regulation, the local jurisdiction of tax authorities in these matters in a manner different from that specified in paragraph 15, with a view to the efficient and effective performance of the tasks referred to in this chapter.

Chapter 8

Tax returns

Art. 45. 1. Taxpayers are required to submit to tax offices a tax return, in accordance with the established template, on the amount of income earned (loss incurred) in the tax year, between 15 February and 30 April of the year following the tax year. Tax returns submitted before the start of the deadline shall be deemed to have been submitted on 15 February of the year following the tax year.

1a. Within the time limit specified in paragraph 1, taxpayers are required to submit separate tax returns to tax offices, in accordance with the established forms, on the amount of income earned (loss incurred) in the tax year from:

1) capital taxed according to the rules specified in Article 30b;

2) non-agricultural business activity or special sections of agricultural production, taxed according to the rules specified in Article 30c;

3) the sale of real estate and property rights taxed according to the rules specified in Article 30e.

1aa. Taxpayers who derive income from activities conducted by foreign controlled entities, pursuant to the rules set out in Article 30f, are required to submit a separate tax return to the tax authorities, in accordance with the established template, specifying the amount of income from a foreign controlled entity earned in the tax year referred to in Article 30f(7), by the end of the ninth month of the following tax year and pay the tax due within that period. If a taxpayer derives income from more than one foreign controlled entity, they shall submit a separate tax return for the income from each of those entities.

1b. The tax office referred to in paragraphs 1–1aa shall be the tax office through which the head of the tax office competent for the taxpayer's place of residence on the date of filing the return performs his or her duties, and if the taxpayer ceased to reside in the territory of the Republic of Poland before filing the return, the tax office through which the head of the tax office competent for the taxpayer's last place of residence in its territory performs his or her duties, subject to paragraph 1c, and in the case of an enterprise in inheritance, the tax office through which the head of the tax office competent in matters of income tax according to the place of residence on the date of opening the inheritance of the deceased entrepreneur performs his duties.

1c. In the case of taxpayers referred to in Article 3(2a), the tax office referred to in paragraphs 1 and 1a shall be the tax office through which the head of the tax office competent for the taxation of foreign persons performs his or her duties.

2. (repealed)

3. The returns referred to in paragraphs 1 and 1a(2) shall not include income taxed in accordance with Articles 29-30a, subject to paragraph 3c.

3a. If, when calculating the tax due, the taxpayer made deductions from income, the tax base or tax, and then received a refund of the deducted amounts (in whole or in part), in the tax return submitted for the tax year in which the refund was received, the taxpayer shall add the previously deducted amounts accordingly.

3b. The return referred to in paragraph 1 or paragraph 1a shall show the income tax due referred to in Articles 29–30a if that tax has not been collected by the payer.

3c. Taxpayers referred to in Article 3(1) shall be required to disclose the amounts of income (revenue) specified in Article 30a(1)(2), (2a), 4 or 5, on which tax has been collected in accordance with Article 30a(2a), in the tax return referred to in paragraph 1 or 1a.

3d. Taxpayers obliged to pay tax on income from buildings are obliged to declare in the tax return referred to in paragraph 1 or paragraph 1a(2) the fixed assets whose initial value is taken into account when determining the tax base for tax on income from buildings, the amount of tax due and paid on income from buildings and the amount of deductions made in accordance with Article 30g.

3e. If the return shows an overpayment, the taxpayer may indicate in the return a bank account or a credit union account of which they are the holder or co-holder, other than one related to their business activity, to which the refund is to be made. The indicated account replaces the previously reported account used for tax or overpayment refunds.

3f. Real estate companies and taxpayers who directly or indirectly hold shares in a real estate company giving them at least 5% of the voting rights in the company or all rights and obligations giving them at least 5% of the right to participate in the profits of a company that is not a legal person, or at least 5% of the total number of participation titles or rights of a similar nature, are required to provide the Head of the National Tax Administration, by the end of the third month after the end of the real estate company's tax year, and if the real estate company is not an income tax payer, by the end of the third month after the end of the real estate company's financial year, with information on:

1) on entities holding, directly or indirectly, shares, all rights and obligations, participation titles or rights of a similar nature in that real estate company, together with the number of such rights held by each of them – in the case of information provided by real estate companies,
2) on the number of shares, all rights and obligations, participation titles or similar rights held, directly or indirectly, in this real estate company – in the case of information

provided by taxpayers who are partners in real estate companies

– as at the last day of the tax year of the real estate company, and if the real estate company is not an income tax payer – as at the last day of its financial year.

3g. For the purpose of calculating indirect ownership referred to in paragraph 3f, the provision of Article 23m(3) shall apply accordingly.

3h. The information referred to in paragraph 3f shall be submitted in electronic form corresponding to the logical structure available in the Public Information Bulletin on the website of the office serving the minister responsible for public finance.

3i. The information referred to in paragraph 3f shall be made available to the heads of tax offices by the Head of the National Revenue Administration.

makes them available to the heads of tax offices.

4. Before the deadline for filing the return, taxpayers are required to pay:

1) the difference between the tax due resulting from the return referred to in paragraph 1 and the sum of advance payments made for the given year, including the sum of advance payments collected by payers;

2) the income tax due resulting from the return referred to in paragraph 1a(1), or the difference between the tax due resulting from the return referred to in paragraph 1a(1) and the sum of advance payments made for the given year;

3) the income tax due resulting from the tax return referred to in paragraph 1a(2), or the difference between the tax due resulting from the tax return referred to in paragraph 1a(2) and the sum of advance payments made for the given year;

4) tax due resulting from the tax return referred to in section 1a(3).

5. Taxpayers who keep accounting records and are required to prepare financial statements shall submit their financial statements to the Head of the National Revenue Administration by electronic means before the deadline for filing the return in electronic form corresponding to the logical structure made available pursuant to Article 45(1g) of the Accounting Act.

5a. (repealed)

5b. (repealed)

5c. (repealed)

5d. (repealed)

5e. (repealed)

5f. (repealed)

5g. (repealed)

6. The income tax resulting from the return is the tax due on the taxpayer's income earned in the tax year, unless the competent tax authority issues a decision specifying a different amount of tax.

7. Taxpayers referred to in Article 3(2a), if they have earned income from sources located in the territory of the Republic of Poland without the intermediation of payers or through payers who are not required to make an annual tax calculation, or if they have earned income specified in Article 30b, and intend to leave the territory of the Republic of Poland before the deadline referred to in paragraph 1, shall be required to submit the returns referred to in paragraphs 1 and 1a for the tax year before leaving the territory of the Republic of Poland, subject to paragraph 7a.

7a. Taxpayers referred to in Article 3(2a) who have chosen the method of taxation specified in Article 6(3a) or (4g) or in Article 29(4) shall submit their tax returns within the time limit specified in paragraph 1. Taxpayers shall attach to their tax returns a certificate of residence documenting their place of residence for tax purposes.

8. Taxpayers referred to in Article 44(3d) shall be required, within three months after exceeding the period which, in accordance with the double taxation agreement, constitutes a condition for exemption from taxation of income, to submit a return on the amount of income from work earned in the year preceding the tax year and to pay the tax due. If they intend to leave the territory of the Republic of Poland before the date referred to in the first sentence, they are required to submit a tax return before leaving the territory of the Republic of Poland.

8a. The financial statements referred to in paragraph 5 shall be made available by the Head of the National Revenue Administration to the heads of tax offices, heads of customs and tax offices, directors of tax administration chambers and the minister responsible for public finance.

8b. The minister responsible for public finance shall specify, by way of a regulation, the manner of transmitting the information referred to in paragraph 3f, by means of electronic communication , taking into account the need to ensure

the security, reliability and non-repudiation of the data contained in this information, as well as the need to protect it from unauthorised access.

8c. The minister responsible for public finance may, by way of a regulation, designate another body of the National Revenue Administration to perform the tasks of the Head of the National Revenue Administration in the scope of receiving and handling the information referred to in paragraph 3f, and the activities specified in paragraph 3i, specifying the scope of the designation, the designated bodies of the National Revenue Administration and their territorial scope of operation, in order to ensure the efficient and effective handling of matters and to improve the service provided to entities obliged to submit this information.

8d. The minister responsible for public finance may, by way of a regulation, designate an authority of the National Revenue Administration to perform the tasks of the Head of the National Revenue Administration in the scope of receiving and processing financial statements and the activities referred to in paragraph 8a, in order to ensure the efficient and effective handling of matters, and to improve the service provided to entities obliged to submit financial reports.

9. (repealed)

10. (repealed)

11. (repealed)

Art. 45a. If justified by the protection of classified information and the requirements of state security requirements:

1) the duties of the head of the tax office referred to in Article 39(1) and Article 42(2)(2) shall be performed by the authority referred to in Article 13a of the Tax Ordinance;
2) the tasks of the tax office referred to in Article 45(1) shall be performed by the office serving the authority referred to in Article 13a of the Tax Ordinance;
3) the transfer of 1.5% of the tax due from tax returns or corrections thereto, referred to in Article 45c(1), submitted to the office referred to in point 2, shall be made by the head of the tax office competent for the seat of the office referred to in point 2, on the basis of written information received from that office.

Article 45b. 1. The minister responsible for public finance shall make available in the Public Information Bulletin on the website of the office serving him the established templates:

1) declarations referred to in Article 30da(14), Article 30h(4), Article 38(1a), Article 42(1a), Article 42e(5) and Article 43(1);
2) the information referred to in Article 21(46), Article 26ha(10), Article 30dg(1), Article 35(6), Article 39(1) and (3), Article 41(4i), Article 42(2), Article 42a(1), Article 42e(6) and Article 52jb(7);
3) statements and applications referred to in Article 30j(1)(1), Article 30o(1), Article 31b(1), Article 32(3) and (6)-(8), Article 41(11) and Article 45c(3a);
4) annual tax calculation and information referred to in Article 34(7) and (8);
5) tax returns referred to in Article 45(1) to (1aa).

2. The templates referred to in paragraph 1 shall contain items enabling the correct performance of the obligation by those required to submit them, including:

1) the name, symbol and variant of the form;
2) identification data;
3) explanations on how to complete the form, the deadline and the place of submission.

Article 45ba. Statements, annual tax calculations, information and declarations referred to in Article 30j(1)(1), Article 30o(1), Article 34(7) and (8), Article 35(6), Article 38(1a) and (1b), Article 39(1) to (4), Article 42(1a)-(4), Article 42a(1) and Article 42e(5) and (6) shall be submitted to the tax office by electronic means in accordance with the provisions of the Tax Ordinance.

Art. 45c. 1. The head of the tax office with jurisdiction over the place of filing the tax return shall, upon request referred to in paragraphs 3 and 3a, transfer to a single public benefit organisation operating under the Act on Public Benefit Activity, selected by the taxpayer from the list referred to in the Act on Public Benefit Activity, hereinafter referred to as a "public benefit organisation", an amount not exceeding 1.5% of the tax due resulting from:

1) the tax return submitted before the deadline for its submission, or
2) from the correction of the return referred to in point 1, if it was made within one month of the deadline for filing the tax return

– after rounding down to the nearest ten groszy.

2. The condition for transferring the amount referred to in paragraph 1 is the payment of the full amount of tax due, which forms the basis for calculating the amount to be transferred to a public benefit organisation, no later than two months after the deadline for submitting the tax return. The tax referred to in the first sentence shall also be deemed to be a tax arrears whose amount does not exceed three times the value of the fee charged by the designated operator within the meaning of the Act of 2006 on the provision of electronic communications services.

tax referred to in the first sentence shall also be deemed to be tax arrears not exceeding three times the amount of the fee charged by the designated operator within the meaning of the Act of 23 November 2012 – Postal Law (Journal of Laws of 2023, item 1640 and of 2024, items 467, 1222 and 1717) for treating a letter as a registered letter.

3. An application shall be deemed to have been made by the taxpayer in the tax return or in the correction of the return referred to in paragraph 1, indicating one public benefit organisation by providing its entry number in the National Court Register and the amount to be transferred to that organisation, not exceeding 1.5% of the tax due.

3a. An indication by a taxpayer referred to in Article 34(9) in a statement drawn up in accordance with the established template of one public benefit organisation by providing its entry number in the National Court Register shall also be considered an application. The statement shall be submitted to the tax office referred to in Article 45(1b) by 30 April of the year following the tax year.

3b. A statement submitted within the time limit referred to in paragraph 3a, together with the annual tax calculation referred to in Article 34(9), for the purposes of transferring 1.5% of the tax due, shall be treated as equivalent to the tax return referred to in paragraph 1(1). Submission of the declaration shall constitute consent to the transfer of 1.5% of the tax due.

3c. If a taxpayer to whom the pension authority has provided an annual tax calculation showing the tax due under Article 34(9) has not submitted the application referred to in paragraph 3 or 3a, the tax authority shall transfer an amount equal to 1.5% of that tax to the public benefit organisation indicated by the taxpayer in the application contained in the tax return referred to in paragraph 1, in the correction to that return or in the statement referred to in paragraph 3a, for the previous tax year.

3d. In the case referred to in paragraph 3c, the transfer of 1.5% of the tax due shall be made on the basis of the application referred to in paragraph 3a, drawn up by the tax authority via the tax portal.

3e. In the statement referred to in paragraph 3a, the taxpayer may withdraw their previously expressed consent to transfer 1.5% of the tax due to a public benefit organisation. After withdrawal of consent, the provision of paragraph 3c shall not apply.

4. The amount referred to in paragraph 1 shall be transferred by the head of the tax office between May and July of the year following the tax year for which the tax return is filed to the bank account designated for the transfer of 1.5% of the tax, as specified by the public benefit organisation in accordance with the provisions of the Act on Public Benefit Activity. This amount shall be reduced by the costs of the bank transfer.

5. In September of the year following the tax year, the head of the tax office competent for the registered office of the public benefit organisation shall provide the public benefit organisation with summary information on:

1) identification data (name, surname and address, and in the case of a business in succession – the details of that business), including both spouses who are subject to joint taxation upon request, and
2) the amount referred to in paragraph 1 transferred to that organisation,
3) the purpose for which the amount referred to in paragraph 1 is used by the public benefit organisation (specific purpose)

– if the taxpayer, in the tax return or correction of the return referred to in paragraph 1, has consented to the transfer of the data referred to in points 1 and 2 to a public benefit organisation, or has indicated the specific purpose referred to in point 3.

6. The head of the tax office shall refrain from transferring 1.5% of the tax to to a public benefit organisation if:

1) the organisation has not provided, in accordance with the Act on Public Benefit Activity, the bank account number appropriate for the transfer of 1.5% of the tax, or the number of that account is incorrect;
2) the organisation has been removed from the list kept in accordance with Article 27a of the Act on Public Benefit Activity;
3) the taxpayer has provided in the application referred to in paragraphs 3 and 3a a number of entry in the National Court Register which is not included in the list kept in accordance with Article 27a of the Act on Public Benefit Activity.

6a. In the case of when the amount indicated in the application, referred to in paragraph 3 exceeds the amount referred to in paragraph 1, the head of the tax office shall transfer the amount referred to in paragraph 1, taking into account paragraph 4.

7. Taxpayers referred to in Article 3(2a) who file their tax returns during the tax year shall select a public benefit organisation from the list referred to in paragraph 1, specified for the previous tax year.

8. The minister responsible for public finance, taking into account the need to efficiently organise the process of transferring amounts from the 1.5% tax, may authorise, by way of a regulation, a subordinate authority other than that specified in paragraph 1 to perform the task referred to in paragraph 1.

9. (repealed)

Article 45ca.

(repealed) **Article**

45cb. (repealed)

Article 45cc. (repealed)

Art. 45cd. 1. On 15 February of the year following the tax year, the tax authority shall make available to the taxpayer, with the exception of a taxpayer who is an enterprise in succession, via an account in the e-Tax Office, the returns referred to in Art. 45(1) and (1a)(1) and (2), and the information referred to in Article 21(46)(1), including data held by the Head of the National Tax Administration, including:

1) contained in the annual tax calculation and information referred to in Article 21(46)(1), Article 34(7) and (8), Article 35(6), Article 39(1) and (3), Article 42(2)(1), Article 42a(1) and Article 42e(6);

2) advance payments made by the taxpayer during the tax year.

2. Acceptance by the taxpayer of the tax return or information made available before the deadline for their submission, without or after making changes to them, shall mean the submission of the tax return or information on the date of acceptance.

2a. Acceptance by the taxpayer of changes made to the submitted return or information shall mean the submission of a correction to the return or information, respectively, on the date of such acceptance.

3. (repealed)

4. In the case of a taxpayer who, in addition to the income reported in the annual tax calculation or in the information referred to in Article 34(7) and (8), Article 35(6), Article 39(1) and (3), Article 42(2)(1), Article 42a(1) and Article 42e(6), has not obtained other income subject to taxation and reported in the tax returns referred to in Article 45(1) or (1a)(1), failure to accept or reject the submitted tax return before the deadline for its submission shall mean that the submitted tax return is submitted on the last day of that deadline (automatic acceptance).

5. The provision of paragraph 4 shall not apply if:

1) the pension authority has made an annual tax calculation and the tax resulting from this calculation is the tax due under Article 34(9);

2) the taxpayer submitted a tax return without using the tax return provided by the tax authority tax authority.

6. The taxpayer accepts or rejects the return or information made available and accepts changes made to the submitted return or information via their account in the e-Tax Office. If the taxpayer does not accept the return or information provided before the deadline for their submission or rejects them before that deadline, they shall submit the return or information without using their account in the e-Tax Office.

Art. 45ce. 1. If the tax authority finds that the submitted return contains errors or obvious mistakes caused by the tax authority, the tax authority shall correct the return by making appropriate corrections or additions. The provisions of Art. 274 § 2–4 and 6 of the Tax Ordinance shall apply accordingly.

2. No interest for late payment shall be charged on arrears related to the correction of the return referred to in paragraph 1 for the period from the day following the tax payment deadline to the deadline for lodging an objection referred to in Article 274 § 3 of the Tax Ordinance.

3. If, before the tax return is corrected by the tax authority, the taxpayer corrects the tax return within the scope referred to in paragraph 1, no interest for late payment shall be charged on arrears related to the correction of the tax return for the period from the day following the tax payment deadline to the date of submission of the correction.

Article 45cf. 1. In the event of failure to pay the difference referred to in Art. 45(4)(1) and (2) by the taxpayer referred to in Art. 45cd(4), the tax authority shall, within one month of the payment deadline, inform the taxpayer of the obligation to pay it within 7 days of the date of delivery of this information.

1a. The information referred to in paragraph 1 may, instead of the signature of the person authorised to issue it, contain a mechanically reproduced signature of that person or a print of the name and surname together with the official position of the person authorised to issue it.

2. In the case of failure to make payment within 7 days from the date of delivery information referred to in paragraph 1, no interest for late payment shall be charged for the period from the date

following the expiry of the payment deadline for the difference referred to in Article 45(4)(1) and (2).

Article 45d. (repealed)

Chapter 9

Amendments to existing provisions

Articles 46–51. (omitted)

Chapter 10

Episodic, transitional and final provisions

Art. 52. The following shall be exempt from income tax:

1) in the period from 1 January 2001 to 31 December 2003, the following income shall be exempt from tax:
   a) from the sale of Treasury bonds issued after 1 January 1989 and bonds issued by local government units after 1 January 1997, acquired before 1 January 2003,
   b) from the sale of securities admitted to public trading, acquired on the basis of a public offering or on the stock exchange securities or in regulated over-the-counter secondary public trading, or on the basis of a permit granted pursuant to Article 92 or 93 of the Act of 21 August 1997 – Law on Public Trading in Securities (Journal of Laws, item 754, as amended[12)])
   c) (repealed)

   – however, the exemption shall not apply if the sale of these securities is the subject of economic activity,
   d) obtained from the exercise of rights arising from securities referred to in Article 3(3) of the Act of 21 August 1997 – Law on Public Trading in Securities;
2) paid after 31 December 1991, due for the period until 31 December 1991:
   a) income from employment relationship, employment relationship, cooperative employment relationship and on the basis of outwork contracts,

[12)] Amendments to the aforementioned Act were published in the Journal of Laws of 1997, item 945, of 1998, items 669 and 715, and of 2000, items 270, 702, 703, 1037 and 1099.

b) commissions, bonuses, profit (income) awards and awards from the company award fund due for the reasons referred to in point (a),

– if these revenues were exempt from payroll tax in 1991 on the basis of payroll regulations;

3) retirement and disability severance pay, jubilee awards and other one-off payments to which the employee became entitled in 1992 and which are calculated on the basis of remuneration determined according to the rates or amounts applicable until 31 December 1991, if such income was exempt in 1991 from payroll tax based on payroll regulations;

4) national pensions and other social security benefits due for the period until 31 December 1991.

5) (repealed)

Article 52a. 1. The following shall be exempt from income tax:

1) interest and discount income from securities issued by the State Treasury and bonds issued by local government units – acquired by the taxpayer before 1 December 2001;

2) income (revenues) referred to in Article 30a(1)(3), if paid or made available to the taxpayer from funds accumulated by the taxpayer before 1 December 2001, on the basis of agreements concluded for a fixed term before that date;

3) income from participation in capital funds referred to in Article 30a(1)(5) and Article 30b(1)(5), if such income is paid to the taxpayer on the basis of agreements concluded or provisions made by the taxpayer before 1 December 2001; the exemption does not apply to income obtained in connection with the taxpayer's participation in a capital fund savings programme, regardless of the form of that programme, in respect of income from payments (contributions) to the fund made on or after 1 December 2001, subject to Article 21(1)(58) and (59).

4) (repealed)

5) (repealed)

2. The exemption referred to in paragraph 1(2) shall not apply to income (revenue) from funds accumulated by the taxpayer before 1 December 2001 on the basis of agreements concluded for a fixed term before that date

– paid or made available on the basis of those agreements amended, extended or renewed as of 1 December 2001.

3. If the payment of income (revenue) results from agreements concluded between 1 December 2001 and 28 February 2002, the tax referred to in Article 30a(1)(3) shall be determined as the amount proportionate to the period during which the taxpayer is not entitled to the exemption under paragraph 1(2).

4. The provision of paragraph 3 shall apply accordingly to interest and discounts on bonds. specified in paragraph 1(1).

5. The exemption referred to in paragraph 1(2) shall also not apply to income (revenue) from funds accumulated by the taxpayer before 1 December 2001 on the basis of agreements concluded for a fixed term before that date, where such an agreement:

1) was terminated before the end of the period for which it was concluded, regardless of the reason for such termination;
2) provides for the possibility of paying out all or part of the capital, including capitalised interest, accumulated by the taxpayer during the term of the agreement, and the taxpayer has exercised this option.

6. In the case referred to in paragraph 5, an entity authorised under separate regulations to maintain a taxpayer's account or to collect the taxpayer's funds in other forms of saving, storage or investment shall collect the tax referred to in Article 30a(1)(3) on the date of termination of the agreement or payment of all or part of the capital referred to in paragraph 5(2). The provisions of paragraph 3 and Article 42 shall apply accordingly, except that the tax shall be collected on the sum of income (revenues) obtained from 1 March 2002.

7. The provision of paragraph 5(1) shall not apply if the contract was terminated for reasons beyond the control of the taxpayer, including in particular in connection with the liquidation or bankruptcy of a bank or the occurrence of fortuitous events.

Art. 52b. (repealed)

Art. 52c. 1. Financial benefits paid to soldiers to cover the costs of renting residential premises, up to a monthly amount not exceeding PLN 500, referred to in Art. 17 of the Act of 16 April 2004 amending the Act on the accommodation of the Armed Forces of the Republic of Poland and certain other acts (Journal of Laws, items 1203, 1596 and 2533, of 2005, item 290, of 2008, item 299, and of 2010, item 143).

2. The equivalent in exchange for the resignation from separate permanent accommodation, referred to in Article 19(3) and Article 22(2) of the Act of 16 April 2004 amending the Act on the accommodation of the Armed Forces of the Republic of Poland and certain other acts, shall be exempt from income tax.

Article **52d.** Compensation amounts paid

on the basis of:

1) the Act of 16 December 2004 on compensation due in connection with the waiver in 2002 of the indexation of the veteran's allowance (Journal of Laws, item 2779);
2) Act of 15 April 2005 on compensation due in connection with the waiver in 2002 of the indexation of cash benefits due to soldiers of the substitute military service forcibly employed in coal mines, quarries, uranium ore plants and construction battalions, as well as persons deported to forced labour and imprisoned in labour camps by the Third Reich and the Union of Soviet Socialist Republics (Journal of Laws, item 725).

Art. 52e. The amounts of arrears remission and refunds resulting from the Act of 25 July 2008 on special solutions for taxpayers obtaining certain income outside the territory of the Republic of Poland (Journal of Laws, item 894 and item 1529 of 2012) shall be exempt from income tax.

Art. 52f. The following shall be exempt from income tax:

1) maternity allowance granted pursuant to Art. 20,
2) amounts increases of remuneration and amounts increases of the maternity allowance granted on the basis of Article 21

of the Act of 24 July 2015 amending the Act on family benefits and certain other acts (Journal of Laws, items 1217 and 1735).

Article 52g. The amounts of the one-off cash allowance referred to in the Act of 15 January 2016 on a one-off cash allowance for certain pensioners, disability pensioners and persons receiving pre-retirement benefits, pre-retirement allowances, bridging pensions or teachers' compensation benefits in 2016 (Journal of Laws, item 2011).

Art. 52h. Exempts from from income tax from from of for the loss of the right to free coal, referred to

in the Act of 12 October 2017 on compensation for the loss of the right to free coal (Journal of Laws, item 1971), and the amount of compensation for the loss of the right to free coal and for the cessation of receiving free coal in kind or in cash equivalent, referred to in the Act of 23 November 2018 on compensation for the loss of the right to free coal and for the cessation of receiving free coal by persons who are not employees of a mining company (Journal of Laws of 2019, item 29).

Art. 52i. 1. Income from the cancellation of debt related to a mortgage loan taken out by a bank pursuant to the Act of 30 November 1995 on state aid for the repayment of certain housing loans, the granting of guarantee premiums and the reimbursement of guarantee premiums paid to banks (Journal of Laws of 2024, item 1774).

2. The exemption referred to in paragraph 1 shall not apply to the part of the income corresponding to the amount of capitalised interest previously included in tax-deductible costs.

Art. 52j. 1. A taxpayer may deduct from income from non-agricultural economic activity determined for 2018 in accordance with Art. 9, Art. 24(1), (2), (3b)-(3e), Article 24b(1) and (2) or Article 25, deduct expenses, less value added tax, incurred in that year for the purchase of goods or services, including the purchase or improvement of fixed assets or the purchase of intangible assets, enabling connection to the Electronic Platform for the Collection, Analysis and Sharing of Digital Resources on Medical Events, referred to in Article 7(1) of the Act of 28 April 2011 on the health care information system (Journal of Laws of 2017, item 1845 and of 2018, items 697, 1515, 1544, 2219 and 2429).

2. The deduction applies to taxpayers operating a public pharmacy or pharmacy outlet, or taxpayers who are partners in a company that is not a legal entity operating a public pharmacy or pharmacy outlet.

3. The expenses referred to in paragraph 1 are deductible up to an amount equal to the product of PLN 3,500 and the number of workstations in a public pharmacy or pharmacy outlet, with the number of workstations taken into account not exceeding four.

4. Where the taxpayer has incurred the expenses referred to in paragraph 1 in relation to more than one public pharmacy or one pharmacy outlet

pharmacy outlet operated by that taxpayer or a company that is not a legal person in which he is a partner, the sum of the expenses calculated in accordance with paragraph 3 separately for each of these pharmacies or each of these pharmacy outlets shall be deductible, provided that the number of pharmacies and pharmacy outlets taken into account may not exceed four.

5. The expenses referred to in paragraph 1 shall be deductible from taxable income in accordance with the rules laid down in Article 27 or Article 30c, provided that the total amount of deductions made under those rules does not exceed the amount of expenses determined in accordance with paragraphs 3 and 4.

6. The expenses referred to in paragraph 1 shall be deductible if they have not been reimbursed to the taxpayer in any form.

7. The term used in this article:

1) public pharmacy – means a public pharmacy within the meaning of Article 87(1)(1) of the Act of 6 September 2001 – Pharmaceutical Law;
2) pharmacy outlet – means a pharmacy outlet within the meaning of Article 70(1) of the Act of 6 September 2001 – Pharmaceutical Law.

Article 52ja. 1. A taxpayer may deduct from income from non-agricultural economic activity or income from special sections of agricultural production, determined for 2021 in accordance with Article 9, Articles 23m–23u, Article 24(1)-(2b) and (3b)-(3e) or Article 24b(1) and (2), deduct the following incurred in that year:

1) expenses for the purchase of an external positioning system or on-board device,
2) fees under a contract for the operation of an external location system or on-board device referred to in Article 13i(3b), second sentence, of the Act of 21 March 1985 on public roads (Journal of Laws of 2021, items 1376 and 1595),
3) fees under a contract for the leasing, rental or hire of an external location system or on-board device or other contract of a similar nature on the basis of which such a system or device has been made available for use

– less value added tax.

2. The deduction from income from special sections of agricultural production applies if this income has been determined on the basis of accounting books or a tax revenue and expense ledger.

3. The expenses and fees referred to in paragraph 1 are deductible up to an amount equal to PLN 500 multiplied by the number of external location systems or on-board devices, provided that the number of such systems or devices does not exceed the number of vehicles which, in 2021, made at least one journey for which the taxpayer, and in the case of taxpayers who are partners in a company that is not a legal person – that company, paid an electronic fee using that external location system or on-board device.

4. The expenses and fees referred to in paragraph 1 shall be deductible from taxable income in accordance with the rules laid down in Article 27 or Article 30c, provided that the total amount of deductions does not exceed the deductible amount determined in accordance with paragraph 3.

5. The expenses and fees referred to in paragraph 1 shall be deductible if they have not been reimbursed to the taxpayer in any form or deducted from income under the Flat-Rate Income Tax Act.

6. The deduction shall be made in the tax return submitted for 2021.

7. In the case of deducting the expenses or fees referred to in paragraph 1, the provision of Article 23(1)(45) shall not apply.

8. The term used in this article:

1) electronic fee – means the electronic fee referred to in Article 13ha of the Act of 21 March 1985 on public roads;
2) on-board device – means an on-board device referred to in Article 13i(3a) of the Act of 21 March 1985 on public roads, used for electronic toll collection via the KAS Electronic Toll Collection System;
3) external location system – means an external location system referred to in Article 13i(3a) of the Act of 21 March 1985 on public roads, used for electronic toll collection via the KAS Electronic Toll Collection System.

Article 52jb. 1. A taxpayer conducting non-agricultural business activity may deduct from the tax base, determined in accordance with Article 26(1) or Article 30c(2), an amount representing 50% of the tax-deductible costs incurred in the tax year for robotisation, provided that the amount of the deduction does not exceed the amount of

income obtained by taxpayer in the tax year from non-agricultural business activity.

2. The following are considered tax-deductible costs incurred for robotisation:

1) the costs of purchasing brand new:
   a) industrial robots,
   b) machines and peripheral devices for industrial robots functionally related to them,
   c) machines, devices and other items functionally related to industrial robots, used to ensure ergonomics and work safety in relation to workstations where human interaction with industrial robots occurs, in particular sensors, controllers, relays, safety locks, physical barriers (fences, guards) or optoelectronic protective devices (light curtains, area scanners),
   d) machines, devices or systems used for remote management, diagnosis, monitoring or servicing of industrial robots, in particular sensors and cameras,
   e) human-machine interaction devices for industrial robots;
2) the costs of acquiring intangible assets necessary for the proper commissioning and acceptance for use of industrial robots and other fixed assets listed in point 1;
3) the costs of purchasing training services related to industrial robots and other fixed assets or intangible assets referred to in points 1 and 2;
4) the fees referred to in Article 23b(1), as specified in the leasing agreement referred to in Article 23f, concerning industrial robots and other fixed assets listed in point 1, if, after the expiry of the basic term of the leasing agreement, the lessor transfers ownership of those fixed assets to the lessee.

3. An industrial robot is understood to mean an automatically controlled, programmable, multi-purpose and stationary or mobile machine with at least 3 degrees of freedom, having manipulative or locomotive properties for industrial applications, which meets all of the following conditions:

1) it exchanges data in digital form with control and diagnostic or monitoring devices for the purpose of remote control, programming, monitoring or diagnosis;
2) is connected to ICT systems that streamline the taxpayer's production processes, in particular production management, planning or product design systems;
3) is monitored by sensors, cameras or other similar devices;
4) is integrated with other machines in the taxpayer's production cycle.

4. machines and peripheral devices for industrial robots functionally related to them, this shall be understood in particular as:

1) linear units increasing freedom of movement;
2) single- and multi-axis positioners;
3) travel tracks;
4) pole booms;
5) rotators;
6) adjusters;
7) cleaning stations;
8) automatic loading stations;
9) loading or receiving stations;
10) collision connectors;
11) end effectors for robot interaction with the environment used for:
    a) coating, painting, varnishing, dispensing, gluing, sealing, welding, cutting, including laser cutting, bending, deburring, shot blasting, sandblasting, grinding, polishing, cleaning, brushing, scraping, surface finishing, bricklaying, die casting, soldering, welding, clinching, drilling, handling, including manipulation, transfer and assembly, loading and unloading, packaging, nailing, palletising and depalletising, sorting, mixing, testing and measuring,
    b) operation of machines: milling machines, injection moulding machines, bending machines, robodrills, drills, lathes, spindles, bending and rolling machines, cutting machines, rolling machines, cutting machines, grinders, boring machines, drawing machines, printers, presses and moulding machines.

5. The deduction referred to in paragraph 1 applies to tax-deductible costs incurred for robotisation in the years 2022–2026.

5a. The deduction referred to in paragraph 1 shall not apply to tax-deductible costs incurred for robotisation relating to activities or assets:

1) referred to in Article 2(1) of Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ EU L 275 of 25.10.2003, p. 32, as amended[13)] – OJ EU Polish Special Edition, Chapter 15, Volume 7, p. 631), with the exception of activities and assets whose projected greenhouse gas emissions are below the average value of the 10% most efficient installations in 2016 and 2017 (t CO2 equivalent/t) and the emission factor (allowances/t) for the years 2021–2025, as specified in Commission Implementing Regulation (EU) 2021/447 of 12 March 2021 determining the revised emission factors for the allocation of free emission allowances for the period 2021-2025 pursuant to Article 10a(2) of Directive 2003/87/EC of the European Parliament and of the Council (OJ EU L 87 of 15 March 2021, p. 29);

2) related to the activities of:

   a) mining activities involving the extraction or storage of fossil fuels, and activities involving the processing, distribution or combustion of fossil fuels, with the exception of projects involving the generation of electricityor heat generation and related transmission and distribution infrastructure using natural gas that meet the conditions set out in Annex III to the EC Technical Guidance on the application of the "Do no significant harm" principle (2021/C58/01),

   b) landfills, waste incineration plants or mechanical biological waste treatment.

6. A taxpayer who has disposed of the fixed assets or intangible assets listed in paragraph 2(1) and (2) before the end of their depreciation period, and in the case of a lease agreement referred to in Article 23f – before the end of the basic period

[13] Amendments to the aforementioned Directive were published in OJ EU L 338 of 13 November 2004, p. 18, OJ EU L 8 of 13 January 2009, p. 3, OJ EU L 87 of 31 March 2009, p. 109, OJ EU L 140 of 5 June 2009, p. 63, OJ EU L 343 of 19 December 2013, p. 1, and OJ EU L 129 of 30 April 2014, p. 1.

lease agreement, is obliged to increase the tax base in the tax return submitted for the tax year in which the disposal took place by the amount of deductions previously made on the basis of paragraph 1.

7. A taxpayer benefiting from the deduction shall submit, by the deadline for filing the tax return in which the deduction is made, information in accordance with the established template, containing a list of deductible costs incurred.

8. In matters not regulated in paragraphs 1-7, the provisions of Article 26e(3k), (5), (6), (8), first and second sentences, and (10) and Article 26g shall apply accordingly to the deduction of tax-deductible costs incurred for robotisation.

Art. 52jc. The protective allowance referred to in the Act of 17 December 2021 on the protective allowance, the coal allowance referred to in the Act of 5 August 2022 on the coal allowance, the allowance for households for the use of certain heat sources and the allowance for certain non-household entities for the use of certain heat sources referred to in the Act of 15 September 2022 on special solutions for certain heat sources in connection with the situation on the fuel market, the electricity allowance referred to in the Act of 7 October 2022 on special solutions for the protection of electricity consumers in 2023 and 2024 in connection with the situation on the electricity market, a refund of the amount corresponding to the VAT referred to in the Act of 15 December 2022 on special protection for certain gas fuel consumers in 2023 and 2024 in connection with the situation on the gas market, an energy voucher referred to in the Act of 23 May 2024 on the energy voucher and on amendments to certain acts in order to limit the prices of electricity, natural gas and district heating, and the heating voucher referred to in the Act of 12 September 2025 on the heating voucher and on amendments to certain acts in order to limit the prices of electricity.

Art. 52k. 1. Taxpayers who, due to COVID-19, referred to in the Act of 2 March 2020 on special solutions related to the prevention, counteracting and combating COVID-19, other infectious diseases and

emergency situations caused by them (Journal of Laws, item 1842, as amended [14]), hereinafter referred to as hereinafter referred to as the "COVID-19 Act":

1) incurred a loss from non-agricultural economic activity in 2020 and

2) obtained in 2020 total revenues from non-agricultural economic activity lower by at least 50% than the total revenues obtained in 2019 from this activity

– may reduce their income or revenue obtained in 2019 from non-agricultural economic activity by the amount of this loss, but not more than PLN 5,000,000.

2. The total income referred to in paragraph 1(2) is understood as the sum of income taken into account when calculating tax on the basis of Article 27(1) and Article 30c and the lump sum on recorded income.

3. In order to make the reduction referred to in paragraph 1, the taxpayer shall submit a correction to the tax return for 2019 referred to in Article 45(1) or (1a)(2) or Article 21(2)(2) of the Act on Flat-Rate Income Tax.

4. A loss not deducted under paragraph 1 shall be deductible under Article 9(3) or Article 11 of the Act on Flat-Rate Income Tax.

Article 52l. The limit of the exemption referred to in Article 21(1):

1) point 9a – in the period from 2020 to the end of the tax year in which the state of epidemic declared due to COVID-19 was revoked, amounts to PLN 3,000;

2) point 26(b) – in the period from 2020 to the end of the tax year in which the state of epidemic declared due to COVID-19 was revoked, it amounts to PLN 10,000;

3) point 67 – in the period from 2020 to the end of the tax year following the year in which the state of epidemic declared due to COVID-19 was revoked, it amounts to PLN 2,000;

4) point 78(b) – in the period from 2020 to the end of the tax year following the year in which the state of epidemic declared due to COVID-19 was lifted, it amounts to PLN 3,000.

Art. 52m. Income tax shall not be levied on income received or made available to the taxpayer:

1) the downtime benefits referred to in Article 15zq of the COVID-19 Act;

[14] Amendments to the consolidated text of the aforementioned Act were published in the Journal of Laws of 2020, items 2112, 2113, 2123, 2157, 2255, 2275, 2320, 2327, 2338, 2361 and 2401.

1a) additional downtime benefits referred to in Article 15zs[1] of the COVID-19 Act;

2) benefits consisting of accommodation and meals referred to in Article 15x(3)(1) of the COVID-19 Act;

3) benefits received under Article 31zy[3] of the COVID-19 Act;

4) one-off additional downtime benefit referred to in Article 15zs[2] of the COVID-19 Act.

Article 52n. 1. From the tax base determined in accordance with Article 26(1) or Article 30c(2) for the purpose of calculating tax or advance payments, the taxpayer may deduct donations made from 1 January 2020 until the end of the month in which the state of epidemic declared due to COVID-19 was lifted, for the purpose of counteracting COVID-19, referred to in Article 2(2) of the COVID-19 Act:

1) entities providing medical services, entered in the list of entities providing healthcare services, including medical transport, performed in connection with counteracting COVID-19, published in the Public Information Bulletin of the National Health Fund;

2) Government Agency Reserves Strategic for the purpose of performing statutory tasks the performance of statutory tasks;

3) the Central Sanitary and Anti-Epidemic Reserve Base for the purpose of objectives of statutory activities;

4) homes for mothers with minor children and pregnant women, night shelters, homeless shelters, including care services, support centres, family care homes and social welfare homes referred to in the Act of 12 March 2004 on social welfare (Journal of Laws of 2023, item 901);

5) the COVID-19 Counteraction Fund referred to in Article 65 of the Act of 31 March 2020 amending the Act on special solutions related to the prevention, counteracting and combating of COVID-19, other infectious diseases and crisis situations caused by them, and certain other acts (Journal of Laws, item 568, as amended [15)]).

2. In the case of a donation referred to in paragraph 1, transferred:

[15] Amendments to the aforementioned Act were published in the Journal of Laws of 2020, items 695, 1086, 1262, 1478, 1747, 2157 and 2255, of 2021, items 1535 and 2368, of 2022, items 64, 202, 1561, 1692, 1730, 1967, 2127, 2236 and 2687, and from 2023, items 295, 556 and 803.

1) until 30 April 2020 – the amount corresponding to 200% of

the value of the donation;

2) in May 2020 – the amount corresponding to 150% of the value of

donation;

3) from 1 June 2020 to 30 September 2020 – the amount corresponding to the value of the donation is deductible

the amount corresponding to the value of the donation is deductible;

4) from 1 October 2020 to 31 December 2020 – the amount corresponding to 200% of the value of the donation is deductible;

the amount corresponding to 200% of the value of the donation is deductible;

5) from 1 January 2021 to 31 March 2021 – the amount

corresponding to 150% of the value of the donation;

6) from 1 April 2021 until the end of the month in which the state of epidemic declared due to COVID-19 was lifted – the amount corresponding to the value of the donation is deductible.

2a. The deduction referred to in paragraph 1 and paragraph 2 points 1 and 2 shall also apply if the donation was made with the participation of a public benefit organisation, provided that:

1) the donation was made by the taxpayer to that organisation and then by that organisation to the entity referred to in paragraph 1 points 1-3 in the period from 1 January 2020 to 31 May 2020, and

2) the organisation provided the taxpayer with written information about the month in which the funds from the donation were transferred and the name of the entity to which the funds were transferred.

3. Donations not deducted under Article 26(1)(9) and Article 11 of the Flat-Rate Income Tax Act are subject to deduction.

4. In matters not regulated in this article, the provisions of Article 6(2), Article 26(6), (6b), (6c), (6f), (7)(1) and (2), (13a) and (15) and Article 45(3a) shall apply accordingly to donations.

Article 52o. 1. In the case of tax advances collected in March and April 2020 on income from a service relationship, employment relationship, outwork relationship or cooperative employment relationship, and on cash benefits from social insurance paid by the payers referred to in Article 31, the obligation specified in Article 38(1) shall be fulfilled by 1 June 2020 if those payers have suffered negative economic consequences due to COVID-19.

2. The provision of paragraph 1 shall apply accordingly to payers referred to in Article 41(1) and (4) who make payments for activities performed personally, referred to in Article 13(8), and for copyright and related rights.

Article 52p. (repealed)

Article 52pa. Income subject to taxation pursuant to Article 30g, determined for the period from 1 March 2020 to 31 December 2020, shall be exempt from tax on income from buildings.

1) from 1 March 2020 to 31 December 2020;
2) from 1 January 2021 to the end of the month in which the state of epidemic was revoked – in the event that the state of epidemic declared due to COVID-19 remains in force after 31 December 2020.

Art. 52q. 1. The obligation referred to in Art. 44(17)(2) and (23) and Art. 26i(1)(2) and (2)(2) shall be waived for individual settlement periods or the tax year in which all of the following conditions are met:

1) a state of epidemic declared due to COVID-19 was in force in a given tax year;
2) the revenue referred to in Article 14 obtained by the taxpayer in a given settlement period or tax year is at least 50% lower than in the corresponding period of the previous tax year, and in the case of a taxpayer who started business activity in the year preceding the tax year – in relation to the average revenue obtained in that year;
3) the taxpayer suffered negative economic consequences due to COVID-19 in the given settlement period or tax year, respectively.

2. The condition referred to in paragraph 1(2) shall not apply to taxpayers who:

1) in the period from 2019 to the end of the year preceding the tax year, applied a form of taxation in which income is not determined;
2) commenced business activity in the last quarter of the year preceding the tax year and did not generate the revenue referred to in Article 14 during that period;
3) commenced business activity in the tax year.

2a. For the corresponding period of the previous tax year referred to in paragraph 1(2), shall be understood as the corresponding settlement period or tax year

falling between 2019 and the year immediately preceding the tax year

.

3. The average revenue referred to in paragraph 1(2) shall be understood as the quotient of the revenue referred to in Article 14, obtained in the previous tax year, and the number of months in which business activity was conducted in that year.

4. The revenue obtained in the previous tax year referred to in paragraph 1(2) and paragraph 3 shall also include the revenue of a deceased entrepreneur referred to in Article 14.

Art. 52r. 1. Small taxpayers who, for 2020, have opted for the simplified form of advance payments referred to in Article 44(6b) may, during the tax year, opt out of this form of advance payments for the months of March to December 2020 if they suffer negative economic consequences due to COVID-19. The provision of Article 44(6c)(2) shall not apply.

2. In the event of opting out of the simplified form of advance payments pursuant to paragraph 1, the advance payments due by the end of the year shall be calculated in accordance with Article 44(3) or (3f) starting from the month for which the taxpayer last applied the simplified form of advance payments. When calculating these advance payments, advance payments paid in a simplified form pursuant to Article 44(6b)-(6i) shall be taken into account.

3. Taxpayers shall notify their resignation from the simplified form of advance payments pursuant to paragraph 1 in the tax return referred to in Article 45(1) or (1a)(2) submitted for 2020.

Article 52s. 1. Taxpayers may make one-off depreciation write-offs on the initial value of fixed assets that were acquired for the production of goods related to counteracting COVID-19, referred to in Article 2(2) of the COVID-19 Act, and entered in the register of fixed assets and intangible assets in the period from 2020 to the end of the month in which the state of epidemic declared due to COVID-19 was lifted.

2. The goods referred to in paragraph 1 shall include, in particular: protective masks, respirators, disinfectants, medical protective clothing, shoe covers, gloves, glasses, goggles, hand disinfectants and hygiene products.

Art. 52t. 1. Eligible costs referred to in Art. 26e, incurred in the period from 2020 to the end of the tax year in which the state of epidemic declared due to COVID-19 was lifted, for research and development activities aimed at

is to develop products necessary to combat COVID-19, referred to in Article 2(2) of the COVID-19 Act, may also be deducted by the taxpayer from the income forming the basis for calculating the advance payment referred to in Article 44(3), (3g), (3f) and (3h).

2. The provision of Article 26e shall apply accordingly.

Art. 52u. 1. Taxpayers referred to in Art. 30ca who, in the period from 2020 to the end of the tax year in which the state of epidemic declared due to COVID-19 was revoked, qualified income from qualified intellectual property rights used to combat COVID-19, referred to in Article 2(2) of the COVID-19 Act, may apply the tax rate referred to in that provision to the taxation of that income during the tax year when calculating income tax advances.

2. In 2020, the amount of advance payments, referred to in paragraph 1, shall be calculated as follows

as follows:

1) the first advance payment is calculated from the sum of eligible income from eligible intellectual property rights, earned from 1 March 2020, using the rate referred to in Article 30ca(1);
2) Advance payments for subsequent months or quarters shall be calculated as the difference between the tax calculated using the rate referred to in Article 30ca(1) on the sum of eligible income from eligible intellectual property rights earned from 1 March 2020 and the sum of advance payments due for previous months or quarters calculated on the basis of that income.

3. The provision of paragraph 1 shall also apply where the taxpayer does not hold a qualifying intellectual property right or an expectation of obtaining a qualifying right, provided that an application for such a protective right is submitted to the competent authority within 6 months from the end of the month for which the 5% tax rate was applied when calculating the advance tax payment.

4. The provisions of Article 30ca shall apply accordingly.

Article 52ua. The solidarity allowance referred to in the Act of 19 June 2020 on the solidarity allowance granted to counteract the negative effects of COVID-19 (Journal of Laws of 2022, item 93) shall be exempt from income tax.

Article 52ub. The amount of the one-off cash benefit referred to in the Act of 17 December 2021 on the one-off cash benefit for anti-communist opposition activists and persons repressed for political reasons (Journal of Laws, item 2430) shall be exempt from income tax.

Art. 52uc. The amount of the additional benefit referred to in the Act of 26 May 2022 on another additional annual cash benefit for pensioners in 2022 (Journal of Laws, item 1358) shall be exempt from income tax.

Art. 52ud. The amount of the one-off cash benefit for a specific month intended to mitigate certain economic effects related to the ecological situation on the Oder River, referred to in the Act of 2 September 2022 on special support for entities affected by the ecological situation on the Oder River (Journal of Laws, items 2014 and 2015).

Art. 52v. 1. The amount for public benefit organisations referred to in Art. 45c shall also be transferred by the head of the tax office on the basis of an application completed in:

1) the tax return submitted by 1 June 2020 or in the correction of that return submitted by 30 June 2020;

2) the statement referred to in Article 45c(3a), submitted by 1 June 2020.

2. In matters not regulated in paragraph 1, the provisions of Article 45c shall apply accordingly to the amount transferred to a public benefit organisation on the basis of an application or declaration completed within the time limits referred to in paragraph 1.

3. If a taxpayer to whom the pension authority has provided an annual tax calculation for 2019 on the basis of Article 34(9), has not submitted the application referred to in paragraph 1, the tax authority shall transfer an amount equal to 1% of that tax to the public benefit organisation indicated by the taxpayer in the application contained in the tax return referred to in Article 45(1), the correction of that return, or in the statement referred to in Article 45c(3a), submitted for 2018.

4. The transfer of the amount equal to 1% of the tax due referred to in paragraph 1 shall be made on the basis of the statement referred to in Article 45c(3a),

prepared for 2019 by the tax authority via the tax portal

. The provisions of Article 45c shall apply accordingly.

Article 52va. 1. If, by the end of the month preceding the month in which the deadline for submitting the tax return for the tax year expires, the state of epidemic declared due to COVID-19 has not been revoked, the transfer of an amount not exceeding 1% of the tax due shall also take place if the application referred to in Article 45c(3) and (3a) is submitted after the deadline for its submission, but no later than by the end of the month following the month in which the deadline for submitting the tax return, submitting a correction to that return or submitting a statement, specified in Article 45c(1)(1) or (2) or (3a), second sentence, respectively, expires.

2. (repealed)

3. (repealed)

4. In matters not regulated by in paragraph 1 to the transfer of the amount to for the benefit of public benefit organisations, the provisions of Article 45c shall apply accordingly.

Art. 52w. 1. In the tax year in which the state of epidemic declared due to COVID-19 was in force, the reduction referred to in Art. 44(17)(1) and Art. 26i(1)(1), or the increase referred to in Art. 26i(2(1), shall be made starting from the settlement period or tax year, respectively, in which 30 days have elapsed from the payment deadline specified in the invoice (bill) or in the contract, until the end of the period in which the debt was settled or sold.

2. Taxpayers who have opted for the simplified form of advance payments referred to in Article 44(6b) for 2020 may reduce the advance payment referred to in Article 44(6i) due for the month in which 30 days have elapsed from the payment deadline specified in the invoice (bill) or contract, to the period in which the debt was settled or sold, by:

1) 17% of the value of the receivables referred to in paragraph 1 – in the case of a taxpayer taxed according to the rules specified in Article 27(1) or
2) 19% of the value of the receivables referred to in paragraph 1 – in the case of a taxpayer taxed according to the rules specified in Article 30c.

3. If the value of the reduction in the advance payment due under paragraph 2 exceeds that advance payment, the advance payments due for subsequent months shall be reduced by the undeducted value.

4. Reductions under paragraph 2 or 3 shall be made if, by the advance payment deadline specified in Article 44(6), the receivable has not been settled or sold.

5. A taxpayer who has made a reduction pursuant to paragraph 2 or 3 shall be obliged to increase the advance payment due in 2020 by the amount of the deduction made for the month in which the claim was settled or disposed of.

6. The provisions of paragraphs 2–5 shall apply to the claims referred to in Article 26i(9), (10), (13) and (18).

7. The provisions of paragraphs 1–3 shall apply to settlement periods in which the taxpayer suffered negative economic consequences due to COVID-19, as referred to in the COVID-19 Act.

Article 52x. 1. From the tax base determined in accordance with Article 26(1) or Article 30c(2), for the purpose of calculating tax or advance payments, the taxpayer may deduct donations in kind consisting of portable computers, i.e. laptops or tablets, transferred from 1 January 2020 until the end of the month in which the state of epidemic declared due to COVID-19 was lifted:

1) bodies running educational establishments;

2) organisations referred to in Article 3(2) and (3) of the Act on Public Benefit Activity, conducting public benefit activities in the sphere of public tasks, or the operator OSE, referred to in the Act of 27 October 2017 on the National Education Network (Journal of Laws of 2022, item 2454), for the purpose of further transfer free of charge to the authorities running educational institutions or to educational institutions.

2. An educational institution is understood to mean:

1) entities referred to in Article 2(1)-(4) and (7) of the Act of 14 December 2016 – Education Law;

2) higher education institutions within the meaning of the Act of 20 July 2018 – Higher Education and Science Law and science;

3) care and educational institutions within the meaning of the Act of 9 June 2011 on family support and the foster care system.

3. The deduction applies if the donation consists of computers referred to in paragraph 1, complete, fit for use and manufactured no earlier than 3 years before the date of their transfer.

4. In the case of a donation referred to in paragraph 1, transferred:

1) until 30 April 2020 – the amount corresponding to 200% of the
the value of the donation;

2) in May 2020 – the amount corresponding to 150% of the value of the donation is deductible
the donation;

3) from 1 June 2020 to 30 September 2020 – the amount corresponding to
the amount corresponding to the value of the donation is deductible;

4) from 1 October 2020 to 31 December 2020 – the amount corresponding to
the amount corresponding to 200% of the value of the donation;

5) from 1 January 2021 to 31 March 2021 – the amount subject to deduction
equivalent to 150% of the donation value is deductible;

6) from 1 April 2021 until the end of the month in which the state of epidemic declared due to COVID-19 was lifted – the amount corresponding to the value of the donation is deductible.

5. Donations not deducted under Article 26(1)(9) and Article 52n, as well as Articles 11, 57b and 57e of the Flat-Rate Income Tax Act, are subject to deduction.

6. In matters not regulated in this article, the provisions of Article 6(2), Article 26(6), (6b), (6c), (6f), (7)(2), (13a) and (15) and Article 45(3a) shall apply accordingly to donations.

Art. 52y. In the case of donations referred to in Art. 52n and Art. 52x, the amount of the donation reported in the tax return referred to in Art. 26(6b) shall correspond to the amount determined in accordance with Art. 52n(2) and Art. 52x(4), respectively.

Art. 52z. 1. Tax-deductible costs shall include the costs of production or the purchase price of items or rights that are the subject of donations referred to in Art. 52n and Art. 52x, transferred between 1 January 2020 to the end of the month in which the state of epidemic declared due to COVID-19 was revoked, to the entities and for the purposes referred to in those provisions, provided that the costs of production or purchase price have not been included in tax-deductible costs, including through depreciation write-offs.

2. Tax-deductible costs are costs incurred in connection with the provision of free services aimed at counteracting COVID-19, referred to in Article 2(2) of the COVID-19 Act, provided in the period from 1 January 2020 to the end of the month in which the state of epidemic declared due to COVID-19 was revoked, to:

1) entities listed in Article 52n(1),

2) entities or units whose statutory tasks include counteracting COVID-19, referred to in Article 2 (2) of the COVID-19 Act.

– unless they have been included in tax-deductible costs, including through depreciation write-offs.

Art. 52za. 1. Income from non-agricultural economic activity does not include the value of donations received from 1 January 2020 to the end of the month in which the state of epidemic declared due to COVID-19 was revoked, donations referred to in Art. 52n and Art. 52x, by taxpayers referred to in Art. 52n(1) and Art. 52x(1).

2. The value of free-of-charge benefits received until the end of the month in which the state of epidemic declared due to COVID-19 was revoked by taxpayers referred to in Article 52n(1) and Article 52z(2)(2) shall not be included in revenue.

Article 52zb. The provision of Article 23(1)(19) shall not apply to contractual penalties and damages paid if the defect in the goods delivered, works performed and services provided, as well as the delay in delivering goods free from defects or the delay in removing defects in goods or works performed and services provided, arose in connection with the state of epidemic threat or state of epidemic declared due to COVID-19.

Art. 52zc. The value of Polish Tourist Vouchers received on the basis of the Act of 15 July 2020 on the Polish Tourist Voucher (Journal of Laws of 2023, item 35) is exempt from income tax.

Art. 52zd. The amounts of one-off cash payments referred to in Article 11d(4b) of the Act of 7 September 2007 on the functioning of hard coal mining (Journal of Laws of 2015, items 410, 1960 and 2300) shall be exempt from income tax.

Art. 52ze. The value of the benefit resulting from the exercise of the right to purchase a digital receiver granted under the Act of 24 February 2022 on support for households in covering the costs related to the change in the standard of terrestrial digital television broadcasting (Journal of Laws, item 1399) shall be exempt from income tax.

Art. 52zf. 1. Tax-deductible costs are the costs of production or the purchase price of items or rights that are the subject of donations made in the period from 24 February 2022 to 31 December 2022 for purposes related to counteracting the effects of military operations on the territory of Ukraine:

1) organisations referred to in Article 3(2) and (3) of the Act of 24 April 2003 on public benefit activities and volunteering, or equivalent organisations specified in the regulations governing public benefit activities in force in Ukraine,

2) local government units,

2a) the National Agency for Civil Service ( ) and provincial governors,

3) the Government Agency for Strategic Reserves,

4) entities performing medical or emergency medical services in the territory of the Republic of Poland or Ukraine

– provided that the production costs or purchase price have not been included in tax-deductible costs, including through depreciation write-offs.

2. Tax-deductible costs are costs incurred in connection with free-of-charge services aimed at counteracting the effects of military operations in Ukraine, provided between 24 February 2022 and 31 December 2022 to the entities listed in paragraph 1, unless they have been included in tax-deductible costs, including through depreciation write-offs.

3. A taxpayer may deduct donations of property or property rights from income or revenue in accordance with Article 26(1)(9) of this Act or Article 11(1) of the Act on Flat-Rate Income Tax, even if the costs of production or purchase price of such property or property rights have been included in tax-deductible costs pursuant to paragraph 1.

Article 52zg. The value of donations and gratuitous benefits referred to in Article 52zf, received in the period from 24 February 2022 to 31 December 2022 by taxpayers referred to in Article 52zf(1), shall not be included in revenue.

Art**. 52zh.** Humanitarian aid received between 24 February 2022 and 31 December 2022 by taxpayers who are citizens of Ukraine and who arrived from the territory of Ukraine during that period

as a result of ongoing h o s t ilities in that territory, to the territory of the Republic of Poland.

Art. 52zi. The cash benefit referred to in Art. 13 of the Act of 12 March 2022 on assistance to Ukrainian citizens in connection with the armed conflict in the territory of that country (Journal of Laws of 2024, item 167, as amended[16)]).

Art. 52zj. In the case of natural persons referred to in Article 1(1) of the Act of 12 March 2022 on assistance to citizens of Ukraine in connection with the armed conflict in the territory of that country, fulfilment of the condition specified in Article 3(1a)(1) in the period from 24 February 2022 to 31 December 2022 shall be determined on the basis of a written statement by that person that they have their centre of personal or economic interests (centre of vital interests) in the territory of the Republic of Poland.

Article 52zk. 1. Tax-deductible costs shall include the costs of production or the purchase price of items or rights that are the subject of donations made in the period from 1 January 2023 to 31 December 2023 for purposes related to counteracting the effects of military operations on the territory of Ukraine:

1) organisations referred to in Article 3(2) and (3) of the Act of 24 April 2003 on public benefit activities and volunteering, or equivalent organisations specified in the regulations governing public benefit activities in force in Ukraine,
2) local government units,
3) provincial governors,
4) the Government Agency for Strategic Reserves,
5) entities performing medical or emergency medical services in the territory of the Republic of Poland or Ukraine

– provided that the production costs or purchase price have not been included in tax-deductible costs, including through depreciation write-offs.

2. Tax-deductible costs are costs incurred in connection with free-of-charge services aimed at counteracting the effects of military operations in Ukraine, provided in the period from 1 January 2023 to

16) Amendments to the consolidated text of the aforementioned Act were published in the Journal of Laws of 2024, items 232, 834, 854, 858, 1089, 1222 and 1572.

31 December 2023 to the entities listed in paragraph 1, unless they have been included in tax-deductible costs, including through depreciation write-offs.

3. A taxpayer may deduct donations of property or property rights from income or revenue in accordance with Article 26(1)(9) of this Act or Article 11(1) of the Act on Flat-Rate Income Tax, even if the costs of production or purchase price of such property or property rights have been included in tax-deductible costs pursuant to paragraph 1.

Article 52zl. The value of donations and gratuitous benefits referred to in Article 52zk, received in the period from 1 January 2023 to 31 December 2023 by taxpayers referred to in Article 52zk(1), shall not be included in revenue.

Art. 52zm. Humanitarian aid received between 1 January 2023 and 31 December 2023 by taxpayers who are citizens of Ukraine and who, after 23 February 2022, arrived in the territory of the Republic of Poland from the territory of Ukraine as a result of the ongoing hostilities in that territory.

Art. 52zn. In the case of natural persons referred to in Article 1(1) of the Act of 12 March 2022 on assistance to citizens of Ukraine in connection with the armed conflict in the territory of that country, fulfilment of the condition specified in Article 3(1a)(1) in the period from 1 January 2023 to 31 December 2023 shall be determined on the basis of a written statement by that person that they have their centre of personal or economic interests (centre of vital interests) in the territory of the Republic of Poland.

Article 52zo. 1. Tax-deductible costs shall include the costs of production or the purchase price of items or rights that are the subject of donations made in the period from 1 January 2024 to 31 December 2026 for purposes related to counteracting the effects of military operations on the territory of Ukraine:

1) organisations referred to in Article 3(2) and (3) of the Act of 24 April 2003 on public benefit activities and volunteering, or equivalent organisations specified in the regulations governing public benefit activities in force in Ukraine,
2) local government units,
3) voivodes,
4) the Government Agency for Strategic Reserves,

5) entities performing medical or emergency medical services in the territory of the Republic of Poland or Ukraine

– provided that the production costs or purchase price have not been included in tax-deductible costs, including through depreciation write-offs.

2. Tax-deductible costs are costs incurred in connection with free-of-charge services aimed at counteracting the effects of military operations in Ukraine, provided in the period from 1 January 2024 to 31 December 2026 for the entities listed in paragraph 1, unless they have been included in tax-deductible costs, including through depreciation write-offs.

3. A taxpayer may deduct donations of property or property rights from income or revenue in accordance with Article 26(1)(9) of this Act or Article 11(1) of the Act on Flat-Rate Income Tax, even if the costs of production or the purchase price of such property or property rights have been included in tax-deductible costs pursuant to paragraph 1.

Art. 52zp. Donations and gratuitous benefits referred to in Art. 52zo, received in the period from 1 January 2024 to 31 December 2026 by taxpayers referred to in Art. 52zo(1), shall not be included in revenue.

Art**. 52zq.** Humanitarian aid received between 1 January 2024 and 31 December 2026 by taxpayers who are citizens of Ukraine, who after 23 February 2022 arrived in the territory of the Republic of Poland from the territory of Ukraine as a result of the ongoing hostilities in that territory.

Art. 52zr. In the case of natural persons referred to in Article 1(1) of the Act of 12 March 2022 on assistance to citizens of Ukraine in connection with the armed conflict in the territory of that country, fulfilment of the condition specified in Article 3(1a)(1) in the period from 1 January 2024 to 31 December 2026 shall be determined on the basis of a written statement by that person that they have a centre of personal or economic interests (centre of vital interests) in the territory of the Republic of Poland.

Article 53. (repealed)

Article 53a. (repealed)

Art. 54. 1. As of 1 January 1992, the following shall be repealed:

1) the Act of 4 February 1949 on payroll tax (Journal of Laws, item 41, of 1956, item 201, of 1959, item 69, and of 1963, item 309);
2) Act of 26 February 1982 on the taxation of socialised entities (Journal of Laws of 1987, item 77, of 1989, items 12, 192 and 443, of 1990, item 126, and of 1991, item 30) – in the part concerning payroll tax;
3) the Act of 28 July 1983 on compensatory tax (Journal of Laws, item 188, of 1984, , item 268, , of 1988, , item 254, , of 1989, , item 192, , and , of 1991, item 345);
4) Act of 16 December 1972 on income tax (Journal of Laws of 1989, items 147 and 443, and of 1991, items 30, 155 and 253);
5) Act of 15 November 1984 on agricultural tax (Journal of Laws of 2017, item 1892) – in the scope concerning agricultural tax on the income of natural persons from special sections of agricultural production;
6) Article 27 of the Act of 14 June 1991 on companies with foreign participation (Journal of Laws, item 253);
7) provisions of specific acts, in the part containing subject-matter or personal exemptions for natural persons from the taxes referred to in points 1–5, or reductions of those taxes.

2. The provisions of

1) the Acts referred to in paragraph 1(1) and (3)-(7) shall apply to the taxation of income earned until 31 December 1991;
2) the Act referred to in paragraph 1(2) shall apply to the taxation of remuneration charged to the operating costs of economic entities until 31 December 1991.

3. Housing and investment relief granted under the Act referred to in paragraph 1(3) and investment relief granted under the Act referred to in paragraph 1(4) and (5), not exhausted by 1 January 1992, shall apply accordingly to income and income tax collected under this Act.

4. (repealed)

5. Periodic income tax exemptions under Article 10 and Article 22(1) of the Act referred to in paragraph 1(4) shall remain in force until their expiry.

6. For taxpayers who, who on the basis of the Act referred to in paragraph 1(3), accumulated income in a special bank account, amounts withdrawn from this account after 1 January 1992 shall be treated as taxable income within the meaning of the Act, except that in 1992 such amounts shall be exempt from income tax up to an amount not exceeding the upper limit of the first bracket in the scale specified in Article 27(1). In this case, if the taxpayer also earns other income, except for that specified in Articles 28, 30 and 41(3), for the purposes of determining the tax liability and the amount of tax due on that income, it shall be combined with the amount withdrawn from the special bank account.

Article 55. 1. Employers shall increase the remuneration due to employees for January 1992, recalculating it in such a way that, after deduction of income tax from that remuneration, it is not lower than the remuneration for that month before recalculation, subject to paragraphs 2-5. If the remuneration due for January 1992 is paid before 1 January of that year, the workplace shall increase the remuneration due for February 1992.

2. The remuneration referred to in paragraph 1 shall be deemed to be due from a service relationship, employment relationship, cooperative employment relationship and under a contract of employment for outwork of all kinds of cash payments and the monetary value of benefits in kind or their equivalents, resulting from the remuneration regulations in force at the workplace.

3. The employee's remuneration after the conversion referred to in paragraph 1 may not may exceed 125% of the remuneration before conversion.

4. Remuneration components paid for periods longer than one month, due to the employee after 31 December 1991, with the exception of those listed in paragraph 5, in the amount resulting from their last payment and calculated for a period of one month, shall be added to the remuneration referred to in paragraph 1 before its conversion.

5. When recalculating the remuneration referred to in paragraph 1, the following shall not be taken into account:

1) severance pay retirement and disability benefits, awards jubilee awards and other one-off payments of remuneration and work-related benefits,

2) awards,

3) salaries exempt from income tax,

4) remuneration components whose amount is determined in relation to the minimum wage set taking into account income tax,

5) remuneration received by an employee at another workplace and income from other sources.

6. The pension authorities shall increase the national pensions and disability benefits due from 1 January 1992, recalculating them in such a way that, after deduction of income tax from these pensions and disability benefits, the pensions and disability benefits are not lower than before the recalculation, and the benefit rates and remuneration rates are not reduced. The provision of paragraph 3 shall apply accordingly.

7. (repealed)

8. Whenever in the provisions on social insurance reference is made to remuneration, salary, income, earnings, contribution assessment basis, average remuneration, or projected average remuneration, this shall be understood to mean, after 31 December 1991, amounts including income tax, subject to paragraphs 9 and 10.

9. The index for the first indexation of pensions and disability benefits in 1992 shall be determined by dividing the amount of the expected average remuneration for a given quarter, excluding increases in remuneration due to the introduction of income tax, by the amount of the expected average remuneration constituting the basis for the most recent indexation. The amount of the expected average remuneration, excluding increases in remuneration due to the introduction of income tax, shall be announced by the President of the Central Statistical Office ( ) in accordance with the procedure specified in a separate act on pension provision for employees and their families.

10. When determining the amount of benefits applied for during the quarter in which the indexation rate is set in accordance with paragraph 9, the basis for calculating these benefits is calculated by multiplying the amount of the expected average remuneration in the quarter in which the previous indexation was carried out by the remuneration index.

11. When determining the amount of benefits applied for starting from the quarter following the quarter in which the indexation rate was set in accordance with paragraph 9, the basis for calculating these benefits shall be calculated by multiplying the amount of the expected average remuneration in the previous quarter within the meaning of paragraph 8 by the remuneration index.

12. The Minister of Labour and Social Policy, in consultation with the Minister of Finance, shall determine the method of calculating the remuneration referred to in paragraphs 1-5, the pensions referred to in paragraph 6, and social security benefits.

Article 56. (omitted)

Art. 57. 1. Until the legal effects of agency agreements and contracts of mandate concluded on the basis of separate provisions expire, the source of income within the meaning of Art. 10 shall also include activities performed on the basis of such agreements.

2. Income from the activities referred to in paragraph 1 shall be determined in accordance with the rules laid down in Article 14. When determining income, the remuneration payable to the principal under a contract of mandate shall constitute a tax-deductible cost if it relates to the tax year in question, even if it has not yet been incurred.

3. Taxpayers who earn income specified in paragraph 1 are required to pay monthly tax advances and submit annual tax returns in accordance with the rules specified in Articles 44 and 45.

Article 58. The Act shall enter into force on 1 January 1992, with the exception of Articles 46, 47, 50 and 51, which shall enter into force on the date of their publication[17)] with effect from 1 July 1991.

[17)] The Act was promulgated on 10 September 1991.

Appendices to the Act
of 26 July 1991
(Journal of Laws of
2025, item 163)

Annex No. 1

LIST OF ANNUAL DEPRECIATION RATES

Item	Rate	KŚT symbol (group, subgroup or type)	Name of fixed assets
1	2	3	4
01	2.5	10	Non-residential buildings
		110	Care and educational facilities, social care homes without medical care
		121	Non-residential premises
	4.5	102	Underground garages and covered car parks, and air traffic control buildings (towers)
		104	Tanks, silos and underground storage facilities, tanks and chambers underground (excluding storage storage and above-ground structures)
	10	103	Kiosks with a volume of with a volume below 500 m³ – permanently attached to the ground
		109	Camping cabins, temporary buildings – permanently attached to the ground
		010	Wicker plantations
02	2.5	224	Water structures, excluding water drainage facilities, permanent dry docks, embankments and dikes
		21	structures classified as structures for water treatment , with the exception of drilled wells
		290	Sports and recreational facilities, excluding public gardens and parks, squares, botanical gardens and zoos
		291	Fire towers
		225	Basic water drainage facilities
		226	Detailed water drainage equipment

	4.5	2	Civil engineering structures, excluding gardens and parks public, squares, gardens botanical and zoological
	10	211	Technological network cables within the plant
		221	Train traffic safety devices
	14	202	Extraction towers
	20	200	Drilling rigs, derricks
03	7	3	Boilers and power machines
	14	322	Light fuel combustion engines (non-compound)
		323	Heavy fuel combustion engines (non-combined)
		324	Gas-fuelled internal combustion engines (non-compound)
		325	Air engines
		343	Portable power units with light fuel combustion engines
		344	Power units with heavy fuel combustion engines
		349	Nuclear reactors
04	7	431	Sludge filters (presses) Mechanical strainers
		450	Furnaces for processing raw materials (except multi-chamber furnaces for processing raw materials)
		451	Fuel processing furnaces (except coking furnaces)
		454	Tunnel kilns
		473	Drum apparatus
		475	Chamber dryers (except dryers with rotating shelves and scrapers)
	10	4	General-purpose machines, devices and apparatus
	14	41	Metalworking machinery
		44	Machines and apparatus for pumping or compressing liquids or gases
		46	Heat exchange apparatus (except for diaphragm tube exchangers, sludge coolers and gas distribution ring tests)
		47	Machines, equipment and apparatus for material handling and processing, including dryers with shelves rotary and scrapers (except: – columns, – drum apparatus, – chamber dryers without shelves, traditional dryers, air dryers, shelf air dryers, vacuum dryers with heating shelves, dryers

			with upper and bottom spray of liquids and dryers with pneumatic solid atomizers and other dryers, – hydraulic gas distribution receivers)
	18	449	distribution equipment to petrol and oils electric and flow meters for liquids and liquid fuels
		461	Circulating fluid exchangers in soda production
		469	Slurry coolers and gas distribution wheel tests
		472	Nitration and denitration columns
		479	Hydraulic receivers for gas distribution systems
		481	Apparatus and equipment for surface treatment of metals by chemical and electrogalvanic methods
		482	Apparatus and equipment for surface treatment of metals by thermal means
		484	Equipment for gas-shielded arc welding and surfacing, and for plasma welding and surfacing Portable high-pressure acetylene generators Resistance and friction welding machines Equipment for metallisation and and plastic spraying
		486	Machines and apparatus for preparing machine-readable media and analytical machines
		488	Autonomous devices for automatic process control and regulation
		489	Industrial robots
	20	434	Jar sealing machines Can sealing machines
		461	Tubular diaphragm exchangers classified as sulphuric acid coolers
	30	487	Computer assemblies
05	7	506	Air rectification devices
		507	Crystallisers Sweat chambers
		548	Machines, devices and apparatus for the production of typesetting material
		583	Excavators and dumpers in open-cast coal mines Excavators in coal industry sand pits
	10	512	Machines and equipment for the operation of boreholes
		513	Machines and equipment for mechanical processing of ores and coal

		514	Machinery and equipment for sintering plants Machinery and equipment for blast furnaces Machinery and equipment for steelworks Hot cutting shears, metallurgical rolling stock Other metallurgical machinery, equipment and apparatus
		520	Machines and equipment for the stone industry: Frame and circular saws Circular saws Grinders Stone lathes and drills Combines for preparatory work
		523	Machines and equipment for the cement industry
		525	Autoclaves
		529	Machinery and equipment for the production terrazzo and artificial stone elements
		56	Machines, equipment and apparatus for the agricultural industry
		582	Road construction machinery: steel bitumen containers with a capacity exceeding 20,000 litres snow ploughs for roads, streets and squares with engine power exceeding 120 HP
	14	50	Machines, equipment and apparatus for the chemical industry
		517	Peat extraction machinery and equipment
		52	Machinery for the mineral raw materials industry
		53	Machinery for the manufacture of metal and plastic products
		54	Machinery, equipment and apparatus for woodworking and wood processing, production of wood products, and machinery, equipment and apparatus for the paper and printing industry
		55	Machines and equipment for the production of textile products and clothing, as well as for leather processing and the manufacture of leather goods
		561	Machinery, equipment and apparatus for the production of beverages
		568	Machines, equipment and apparatus for the bakery industry (except ceramic, cyclothermic and special furnaces)
		57	Machines, equipment and apparatus for the food industry
		59	Agricultural and forestry machinery, equipment and tools
	18	505	Fluidised bed roasting ovens
		51	Drilling, mining, gas, foundry, peat extraction, surveying and cartographic machinery, equipment and apparatus

		58	Earthmoving, construction and road machinery
	20	506	Degassers
		510	Drilling machinery and equipment
		511	Mechanised casings
		518	Apparatus and equipment for: magnetic measurements, geological measurements, seismic and radiometric measurements, electrical profiling of boreholes, core sampling gas, perforation of boreholes
		535	Special apparatus for the production of tungstic acid and machinery for reduction, vacuum and special smelting of metals Machines for the production of carbonates and emulsion pastes Equipment for the production of semiconductors
		579	Distributors Hammer mills Machines and equipment for processing animal waste into feed meal and rendering fats Other machinery and equipment for processing animal waste
		580	Earthmoving and foundation machinery
		581	Construction machinery
		582	Mechanical brushes and road maintenance equipment
	25	501	Glass and porcelain distillation apparatus Porcelain ball mills
		511	Mining machinery, excluding mechanised supports
		524	Furnaces for melting blast furnace slag and basalt
		571	Autoclaves for hydrolysis Steel neutralisers and concrete or brick neutralisers and hydrolysers
		581	Vibrators Vibratory hammers and plaster trowels
06	4.5	600	Above-ground brick tanks
		601	Above-ground concrete tanks (except those equipped with a chemical-resistant lining for nitric acid)
		623	Telephone equipment for high-voltage line carrier systems
		641	Mine hoists (excluding hoists for shaft sinking)
		648	Cargo cableways and cable hoists
		656	Hydraulic accumulators
		660	Vehicle, wagon and other built-in scales

	10	6	Technical equipment
	18	61	Distribution equipment and portable electrical apparatus
		641	Lifts, winches and hoists, mobile and non-mobile, capstans, hoists (except for shaft capstans and mine hoists, including hoists for shaft sinking, as well as railway and cableway hoists)
		662	Portable 16 mm and 35 mm projectors
		681	Containers
	20	629	Mobile phones
		669	Cash registers and recording devices (except those included in item 04 – computer systems)
		633	Stationary electric accumulator batteries
			Alkaline rechargeable batteries
		662	Cinema screens
		644	Conveyors in mines and ore and coal processing plants
		664	Equipment for technical testing
	25	644	Heavy and light scraper conveyors
07	7	70	Overhead railway rolling stock
		71	Underground rolling stock
		72	Tram rolling stock
		73	Other above-ground rolling stock
		77	Floating rolling stock
	14	700	Draisines and trailers for draisines
		710	Battery locomotives
			Flameproof and "Karlik" type locomotives
			Mine cars
		770	Container ships
		773	Hydrofoils
		780	Aircraft
		781	Helicopters
		743	Special vehicles
		745	Trolleybuses and electric trucks
		746	Tractors
		747	Semi-trailers and trailers
		76	Other non-rail rolling stock (battery-powered industrial trucks, forklifts and other industrial trucks)
	18	745	Other electric cars
		783	Balloons

		789	Other means of air transport
		79	Other means of transport
	20	740	Motorcycles, trailers and motorcycle sidecars
		741	Passenger cars
		742	Trucks
		744	Buses and coaches
		782	Gliders
08	10	805	Equipment for cinemas, theatres, cultural and educational institutions, and musical instruments
		806	Kiosks, booths, barracks, camping cabins – not permanently attached to the ground
	14	803	Office machines for writing, calculating and calculating and writing Teletypewriters for mathematical machines
	20	8	Tools, instruments, movable property and equipment
	25	801	Electronic control and measuring equipment for laboratory testing
		802	Apparatus and equipment for hydrotherapy and mechanotherapy
		804	Circus equipment

Explanations:

1. The deterioration of the conditions of use of buildings and structures referred to in Article 22i(2)(1)(a) shall be deemed to be the use of these fixed assets under the constant influence of water, steam, significant vibrations, sudden temperature changes and other factors causing accelerated wear and tear of the facility.

2. The deterioration of buildings and structures referred to in Article 22i(2)(1)(b) shall be deemed to be the use of these fixed assets under the influence of destructive chemicals, in particular when they are used for the production, manufacture or storage of corrosive chemicals. This also applies to cases of strong exposure of a building or structure to corrosive chemicals dispersed in the atmosphere, water or emitted in the form of vapours originating from other facilities located nearby.

3. Machinery, equipment and means of transport requiring special technical efficiency, referred to in Article 22i(2)(2), are understood to mean those objects which are used in three shifts, even though they do not operate continuously by their very nature, used in field conditions, in forest conditions, underground or in other conditions indicating more intensive wear and tear.

4. Machinery and equipment in groups 4–6 and 8 of the Classification subject to rapid technical progress, referred to in Article 22i(2)(3), shall be understood as machinery, devices and apparatus in which microprocessor circuits or computer systems are used, fulfilling their intended functions through the use of the latest technological advances, as well as other scientific research and experimental production apparatus.

Annex 2

TABLE OF TYPES AND SIZES OF SPECIAL AGRICULTURAL PRODUCTION SECTORS AND ESTIMATED ANNUAL INCOME STANDARDS

No.	Types of crops and production	Unit of crop area or types of production	Estimated annual income standard[1)]	
			PLN	gr
1	2	3	4	
1	Crops in greenhouses heated above 25 m²:			
	a) ornamental plants	1 m²	7	
	b) other	1 m²	2	60
2	Crops in unheated greenhouses larger than 25 m²	1 m²	1	60
3	Crops in heated plastic tunnels over 50 m²:			
	a) ornamental plants	1 m²	5	20
	b) other	1 m²	3	20
4	Mushroom cultivation and mushroom spawn – over 25 m(2) ofcultivation area	1 m²	3	
5	Slaughter poultry – over 100 animals:			
	a) chickens	1		10
	b) geese	1 piece		79
	c) ducks	1		21
	d) turkeys	1		51
6	Laying poultry over 80 pieces:			
	a) laying hens (in a breeding flock)	1 piece	1	98
	b) broiler hens (in the breeding flock)	1	1	66
	c) geese (in the breeding flock)	1	1	10
	d) ducks (in a breeding flock)	1	2	05
	e) turkeys (in a breeding flock)	1	8	70
	f) hens (production of table eggs)	1	1	45
7	Poultry hatcheries:			

1) The estimated annual income standards are revised annually by way of a regulation issued by the minister responsible for public finance in consultation with the minister responsible for agriculture, pursuant to Article 24(7) of this Act.

	a) chickens	1		1
	b) geese	1		5
	c) ducks	1		2
	d) turkeys	1		5
8	Fur animals			
	a) foxes and raccoon dogs	from 1 female of the basic flock	29	78
	b) minks	more than 2 females of the basic herd	13	10
	c) polecats	more than 2 females in the basic herd	10	13
	d) chinchillas	more than 2 females in the basic herd	15	49
	e) nutria more than 50 females in the basic herd	from 1 female of the basic herd	3	58
	f) rabbits over 50 females of the basic herd	from 1 female of the basic herd	3	58
9	Laboratory animals:			
	a) white rats	1		9
	b) white mice	1		2
10	Silkworms – cocoon production	1 dm^3		20
11	Apiaries with over 80 colonies	1 colony	2	
12	In vitro plant cultivation – shelf space	1 m^2	120	
13	Entomophagous breeding – host plant cultivation area	1 m^2	100	
14	Earthworm breeding – breeding bed area	1 m^2	50	
15	Breeding and rearing of other animals outside the farm:			
	a) cows, more than 5 animals	1 animal	200	
	b) calves over 10 animals	1 animal	42	
	c) slaughter cattle over 10 head (except for fattening cattle)	1 head	22	
	d) fattening pigs over 50 head	1 head	25	
	e) piglets and weaners over 50 head	1 animal	10	
	f) rearing and breeding of sheep in excess of 10 head	from 1 ewe	4	
	g) fattening of sheep over 15 head	1 animal	6	
	h) horses for slaughter	1 animal	300	
	i) breeding horses	1 basic herd	240	

	j) breeding of aquarium fish over 700 $dm^{(3)}$ of aquarium volume, calculated according to the internal edge lengths	1 dm^3 of aquarium volume		90
	k) breeding of purebred dogs	1 animal of the basic herd	27	
	l) breeding of purebred cats	1 animal basic herd	10	

Appendix No. 3

LIST OF ENTITIES TO WHICH ARTICLE 23(1) APPLIES

1 POINT 38C AND ARTICLE 24 PARAGRAPHS 8A AND 8B OF THE ACT

No.	Member State of the European Union	Subject matter
1	Kingdom of Belgium	Companies formed under Belgian law, referred to as: 'société anonyme'/'naamloze vennootschap', 'société en commandite par actions'/'commanditaire vennootschap op aandelen', 'société privée à responsabilité limitée'/'besloten vennootschap met beperkte aanspra-kelijkheid', 'société coopérative à responsabilité limitée'/'coöperatieve vennootschap met beperkte aansprakelijkheid', 'société coopérative à responsabilité illimitée'/'coöperatieve vennootschap met onbeperkte aansprakelijkheid', 'société en nom collectif'/'vennootschap onder firma', 'société en commandite simple'/'gewone commanditaire vennootschap', public undertakings which have adopted one of the above legal forms and other companies formed in accordance with Belgian law and subject to Belgian corporation tax
2	Kingdom of Denmark	companies formed under Danish law, referred to as: 'aktieselskaber' and 'anpartsselskaber' and other companies subject to tax under the Corporation Tax Act, in so far as their taxable income is calculated and taxed in accordance with the tax legislation applicable to "aktieselskaber"
3	Kingdom of Spain	companies established under Spanish law, referred to as: 'sociedad anónima', ' ' 'sociedad comanditaria por acciones', ' ' 'sociedad de responsabilidad limitada', as well as public law entities operating under private law
4	Kingdom of the Netherlands	companies formed under Dutch law, referred to as: 'na-amloze vennootschap', 'besloten vennootschap met beperkte aansprakelijkheid', 'open commanditaire vennootschap', 'coöperatie', 'onderlinge waarborgmaatschappij', 'fonds voor gemene rekening', "vereniging op coöperatieve grondslag", "vereniging welke op onderlinge grondslag als verzekeraar of kredietinstelling optreedt" and other companies formed under Dutch law subject to Dutch corporation tax
5	Kingdom of Sweden	companies established in accordance with Swedish law , referred to as: 'aktiebolag', 'bankaktiebolag', 'försäkringsaktiebolag', 'ekonomiska föreningar', 'sparbanker' and 'ömsesidiga försäkringsbolag'
6	Republic of Malta	companies established under Maltese law , referred to as: "Kumpaniji ta' Responsabilita Limitata" and "Soċjetajiet en commandite li l-kapital tagħhom maqsum f'azzjonijiet"

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7	Republic of Austria	companies established according to Austrian law , referred to as: "Aktiengesellschaft", "Gesellschaft mit beschränkter Haftung" and "Erwerbs- und Wirtschaftsgenossenschaften"
8	Republic of Cyprus	companies formed under Cypriot law: "εταιρείες", as defined in the income tax regulations
9	Czech Republic	companies formed under Czech law, referred to as: "akciová společnost" and "společnost s ručením omezeným"
10	Estonian Republic	companies formed under Estonian law, referred to as: 'täisühing', 'usaldusühing', 'osaühing', 'aktsiaselts' and 'tulundusühistu'
11	Federal Republic of Germany	companies established under German law, referred to as: "Aktien-gesellschaft", "Kommanditgesellschaft auf Aktien", "Gesellschaft mit beschränkter Haftung", "Versicherungsverein auf Gegenseitigkeit", "Erwerbs- und Wirtschaftsgenossenschaft", "Betriebe gewerblicher Art von juristischen Personen des öffentlichen Rechts" and other companies established in accordance with German law and subject to German corporate income tax
12	Republic of Finland	companies established under Finnish , referred to as: 'osakeyhtiö'/'aktiebolag', 'osuuskunta'/'andelslag', 'säästöpankki'/'sparbank' and 'vakuutusyhtiö'/'försäkringsbolag'
13	French Republic	companies formed under French law, referred to as: 'société anonyme', 'société en commandite par actions', 'société à responsabilité limitée', 'sociétés par actions simplifiées', 'sociétés d'assurances mutuelles', 'caisses d'épargne et de prévoyance', 'sociétés civiles', which are automatically subject to corporation tax, "coopératives", "unions de coopératives", industrial and commercial public institutions, and enterprises and other companies established under French law subject to French corporate income tax
14	Hellenic Republic	companies established under Greek law, referred to as: "ανώνυμη εταιρεία", "εταιρεία περιορισμένης ευθύνης (Ε.Π.Ε.)"
15	Ireland	companies formed or existing under Irish law, entities registered under the Industrial and Provident Societies Act, "building societies" formed under the Building Societies Acts and "trustee savings banks" within the meaning of the Trustee Savings Banks Act 1989.
16	Republic of Lithuania	companies formed under Lithuanian law
17	Republic of Latvia	companies established under Latvian law, referred to as: 'akciju sabiedrība' and 'sabiedrība ar ierobežotu atbildību'
18	The Portuguese Republic	commercial companies or civil law companies in commercial form, as well as other legal persons engaged in industrial or commercial activities, which are established in accordance with Portuguese law

19	Slovak Republic	companies established under Slovak law, referred to as: ‘akciová spoločnosť’, ‘spoločnosť s ručením obmedzeným’, ‘komanditná spoločnosť’
20	Republic of Slovenia	companies established under Slovenian law, referred to as: "delniška družba", "komanditna družba", "družba z omejeno odgovornostjo"
21	Republic of Hungary	companies established under Hungarian law , referred to as: ‘közkereseti társaság’, ‘betéti társaság’, ‘közös vállalat’, ‘korlátolt felelősségű társaság’, ‘részvénytársaság’, ‘egyesülés’, ‘közhasznú társaság’ and ‘szövetkezet’
22	Italian Republic	companies formed under Italian law, referred to as: ‘società per azioni’, ‘società in accomandita per azioni’, ‘società a responsabilità limitata’, ‘società cooperative’, ‘società di mutua assicurazione’ and public and private entities whose activities are wholly or mainly commercial
23	Grand Duchy of Luxembourg	companies incorporated under Luxembourg law, referred to as: "société anonyme", "société en commandite par actions", "société à responsabilité limitée", "société coopérative", "société coopérative organisée comme une société anonyme", "association d'assurances mutuelles", "association d'épargne-pension", ‘commercial, industrial or mining enterprises owned by the State, municipalities, associations of municipalities, public institutions and other legal persons governed by public law’ and other companies established in accordance with Luxembourg law and subject to Luxembourg corporate income tax
24	United Kingdom of Britain and Northern Ireland	companies incorporated under the laws of the United Kingdom
25		(SE) established in accordance with Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE) and Council Directive 2001/86/EEC of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees; cooperatives (SCE) established in accordance with Council Regulation (EC) No 1435/2003 of 22 July 2003 on the Statute for a European Cooperative Society (SCE) and Council Directive 2003/72/EC of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees
26	Republic of Bulgaria	companies under Bulgarian law, referred to as: ‘събирателното дружество’, ‘командитното дружество’, ‘дружеството с ограничена отговорност’, ‘акционерното дружество’, ‘командитното дружество с акции’, ‘кооперации’, ‘кооперативни съюзи’ and "държавни предприятия" established in accordance with Bulgarian law and carrying out economic activities
27	Romania	companies under Romanian law, referred to as: "societăţi pe acţiuni", "societăţi în comandită pe acţiuni", "societăţi cu răspundere limitată"

28	Republic of Croatia	companies under Croatian law referred to as: "dioničko druš-tvo", "društvo s ograničenom odgovornošću", as well as other companies established under Croatian law subject to Croatian income tax
29	Republic of Poland	companies established under Polish law, referred to as: ‘spółka akcyjna’, ‘spółka z ograniczoną odpowiedzialnością’

Annex 4

List of low value-added services

Category	Description
1	2
1. Accounting and auditing	1.1. keeping accounting records; 1.2. preparation of financial statements, including collection and review of information for the purpose of preparing such statements; 1.3. reconciliation of accounting records; 1.4. support in financial and non-financial audits; 1.5. handling receivables and payables, as well as making or monitoring payments; 1.6. invoicing; 1.7. services similar to those listed above.
2. Financial services companies	2.1. support for the budgeting process, including the collection of data and information for the preparation of the budget and the preparation of budget implementation reports; 2.2. financial and management reporting; 2.3. liquidity monitoring; 2.4. assessment of counterparty creditworthiness; 2.5. services similar to those listed above.
3. Human resources services services	3.1. employee recruitment; 3.2. employee training and development; 3.3. HR and payroll services; 3.4. health and safety at work; 3.5. services similar to those listed above.
4. IT services IT	4.1. installation, maintenance and updating of IT systems; 4.2. user and technical support; 4.3. training in the use and application of software and computer equipment used in business operations; 4.4. designing guidelines and policies for infrastructure, equipment and software; 4.5. ensuring access to voice and data communication services; 4.6. support, maintenance and supervision of IT infrastructure and telecommunications networks; 4.7. services similar to those listed above.
5. Communication and promotion services	5.1. support for internal and external communications; 5.2. public relations; 5.3. services similar to those listed above – excluding specific advertising or marketing activities, as well as the development of strategies for such activities.
6. Legal services	6.1. general legal services provided by the internal legal department, including in particular the drafting and review of contracts, agreements and other legal documents , legal consultations ,

	drafting legal opinions, representation in proceedings; 6.2. legal and administrative activities related to the registration and legal protection ofintangible assets; 6.3. services similar to those listed above.
7. Tax services	7.1. preparation of tax returns, including gathering information for the purpose of preparing such returns; 7.2. making tax payments; 7.3. preparing explanations for tax audits; 7.4. general tax advisory services; 7.5. services similar to those listed above.
8. Administrative services administrative -office	8.1. general administrative services; 8.2. general office services; 8.3. services similar to those listed above.