

POLAND

As per 1 January 2017

Click to download PDF: As per 1 January 2014 (<http://publicationsdrafts.ro/expat-tax-2014/wp-content/uploads/2014/01/Poland-As-per-1-January-2014.pdf>), 2015 (http://publicationsdrafts.ro/expat-tax-2014/wp-content/uploads/2015/01/Mazars_Poland-copy.pdf), 2016 (<http://publicationsdrafts.ro/expat-tax-2014/wp-content/uploads/2017/01/Global-Mobility-Services-Mazars-Poland-1.pdf>), 2017 (<http://publicationsdrafts.ro/expat-tax-2014/wp-content/uploads/2017/01/Global-Mobility-Services-Mazars-Poland-2.pdf>)

EXPATRIATE AND EMPLOYER TAX COMPLIANCE AND ADVISORY

Tax rate	Progressive tax rate: 18% – 32% (in some particular cases flat tax rate is possible).
Tax period	Calendar year
Tax residency / Domicile according to domestic law	Present for more than 183 days in a calendar year in Poland. Centre of personal or economical interests in Poland.
Tax registration	Applicable in case PESEL number (personal identification number) is not issued
Employment income definition	Any remuneration and benefits in cash or in kind received by an employee for services rendered under an employment agreement
Examples of tax exemption	Children allowance depending on the income and number of children. Payments and benefits relating to business trip within statutory limits
Specific expatriate concession	Not applicable
Income of board members	Depending on the type of contract: income from activity performed personally (resolution, civil law contract), employment income (employment contract)
Tax returns	Local employment agreement: the employer is responsible for the monthly tax compliance (tax advance as well as monthly filings). Foreign employment agreement, monthly individual tax compliance (tax advance any yearly filings).
Tax payments	As a rule by 20th day of the month following the month in which income was derived and balancing payment upon filing annual tax return.

TAX TREATIES

Employment income / income from board members	Art 15/16 Model OECD Tax Convention
--	-------------------------------------

INTERNATIONAL SOCIAL SECURITY

Cross border employments	EU Regulation No 883/2004 and EU regulation No. 1408 / 71.
Exception under Art 16 of Reg. 883/2004 and Art 17 of Reg. 1408/71	Generally applicable
Social Security Cost as % from gross salary and absolute amounts	Pension contribution (9,76% employee, 9,76% employer); Invalidity contribution (1,5% employee, 6,5% employer), Sickness contribution (2,45% employee), Accident contribution (0.40% – 3.60% employer); Labour fund (2,45% employer); Employees' Guaranteed Benefits Fund (0,10% employer); Healthcare Insurance (9%, on gross income reduced by Social Security Contributions, employee – 7,75% deductible from tax due). The pension and invalidity contributions are capped over the income exceeds 30 average estimated national salaries for a given year (PLN 127 890 for 2017, converted against the exchange rate as applicable as of 2 January 2017 approximately EURO 29,000).

IMMIGRATION

Work permit

EU and EEA nationals do not need a work permit to be working in Poland, if certain conditions are met a notification may need to be filed.
Non – EU and EEA nationals need to obtain a work permit.

Visa

EU and EEA citizens do not need a visa to enter Poland.
Non- EU and EEA citizens from particular countries may be obliged to apply for a visa before entering Poland.

Residency permits / registration certificate

EU citizens need to apply for a registration certificate if their stay exceeds three months.
A foreigner can apply for the residence permit for a specified period of time (not exceeding two year period) if circumstances justifying residence in Poland for a period longer than 3 months occur.

Driving license

The driving licence issued in other EU, EEA countries and Switzerland as well as International Driving Permit are recognized

STOCK OPTION PLAN

Tax treatment depends upon the conditions of the Stock Option Plan.



(<http://www.mazars.com/Users/Our-team/Kinga-Baran>)

Kinga Baran

Director, Tax Advisory Department – Warsaw, Poland

Send Email (<http://www.mazars.com/Users/Our-team/Kinga-Baran>)

Direct line: +48 22 25 55 200

Address: Ul. Piękna 18, 00-549 Warszawa

[www.mazars.pl](http://pol.mazars.pl/) (<http://pol.mazars.pl/>)