



Poland: Foreign Investment

December 1991

LL File No. 1992-0233
LRA-D-PUB-000902

This report is provided for reference purposes only.
It does not constitute legal advice and does not represent the official
opinion of the United States Government. The information provided
reflects research undertaken as of the date of writing.
It has not been updated.

POLAND

The most important law for foreign investors in Poland is the Law of June 14, 1991, on companies with foreign equity participation.¹ The most important provisions of this new Law are as follows:

- There is no requirement for a permit except for a few limited areas such as the operation of harbors and airports, real estate brokerage activities, the defense industry not requiring a concession, wholesale trade of imported consumer goods, and performance of legal services, and in some other limited situations;²
- There is no minimum capital investment requirement for foreign investors that differs from those required from a Polish investor; and
- The full transfer of profits abroad is permitted.³

Other important provisions related to foreign investment are:

- The Law of January 31, 1989, on corporate income tax;⁴
- The Commercial Code;⁵
- The Law of December 23, 1988, on economic activity;⁶
- The Regulation of the Council of Ministers of February 6, 1976, on conditions, procedures, and agencies empowered to grant foreign corporations and individual permits required to open branch offices on the territory of the Peoples' Republic for conducting economic activity;⁷
- The Regulation of the Minister of Foreign Economic Cooperation of December 21, 1989, on the list of goods and services which require a foreign trade permit;⁸ and

¹ *Dziennik Ustaw* (Dz.U., official law gazette of Poland), No. 60, item 253 (1991); *See Appendix I* for an English translation.

² *Id.* arts. 4 and 6.

³ *Id.* art. 25.

⁴ Consolidated text: Dz.U. No. 49, item 216 (1991); *See Appendix II* for an English translation.

⁵ Dz.U. No. 57, item 502 (1934), as amended; *See Appendix III* for an English translation.

⁶ Dz.U. No. 41, item 324 (1988), as amended.

⁷ Dz.U. No. 11, item 63 (1976), as amended.

⁸ Dz.U. No. 72, item 432 (1989), as amended.

- The Law of July 25, 1985, on research and development organizations.⁹

Prepared by Bozena Sarnecka-Crouch
Senior Legal Specialist
European Law Division
Law Library of Congress
December 1991

⁹ Consolidated text: Dz.U. No. 44, item 194 (1991).