

**Polska**



Greenfield & Brownfield  
investments: Activities requiring  
licenses, concessions or permits

2017-05-09 13:32:16



The general law stipulates that the undertaking and conducting of business activities is free.

However, Polish law also states some exceptions to this general rule. It means that the undertaking and conducting of certain activities is limited and requires the consent of the Polish authorities or entry into the register of regulated services. We can divide the above-mentioned activities into four main groups:

- activities which may be undertaken and conducted freely,
- activities which may be undertaken and conducted on the basis of a concession,
- activities which may be undertaken and conducted on the basis of a license or permits,
- activities which may be undertaken and conducted upon registration into the register of regulated activities.

Furthermore, Polish law states that certain professional services may be conducted only by people who have an appropriate certificate (e.g. tax advisors, lawyers, real estate, appraisals, architects, accountants or financial advisors).

To conduct certain types of activities (e.g. bank or insurance funds, pension funds) Polish law requires the establishment of a specified legal form (e.g. joint-stock company).

### **Concessions**

A concession is issued for a period of time between five and 50-years and is stipulated for business activities which have a significant importance for the interests of the State (e.g. national security, public safety and major public interests).

### **Licenses and permits**

Polish law also states other types of administrative decisions which are mandatory in order to undertake and conduct business activity. When the entrepreneur fulfils the statutory requirements stated by law, they may apply for an administrative decision (e.g. a permit or license). Polish law states that for almost thirty types of business activity you are required to obtain a permit or license. Below you will find some of the business activities which require such administrative decisions:

- national and international road transport (including goods and passengers),
- forwarding agency,
- railway stations,
- tourism agencies,
- private investigation and detective services,
- conduction of business in special economic zones,
- the operation of banks, insurance companies, brokerage agencies, investment funds or pension funds,
- wholesale trade and manufacturing of alcoholic beverages, casinos, lotteries and gambling.

## Registration for the register of regulated activities

Such activities may be conducted when the entrepreneur fulfils their statutory requirements and upon registration into the register of regulated activities. Polish law states twenty types of regulated business activities. Below are some of the business activities which require entry into the register of regulated activities:

- the archiving of employees and personal documentation,
- storage enterprises,
- telecommunication,
- the manufacturing of alcoholic beverages,
- detective services,
- work agencies,
- the organising of horse races.

Authorities responsible for issuing concessions

Activity requiring a concession	Authority
Searching, Exploration of minerals; underground storage of substances and waste in rock masses or in underground mines	Minister of Environment
The manufacturing of and trading in explosives, ammunition, weapons and other items and technology for military or law enforcement purpose	Minister of Ministry of the Interior and Administration
Manufacturing, processing, storing, delivering, distributing and trading of fuels or energy	President of the Energy Regulatory Authority
Security services for persons and property	Minister of Ministry of the Interior and Administration
Radio and television broadcasting	President of the National Broadcasting Authority
Air transportation	President of the Civil Aviation Authority

Source: Polish Investment and Trade Agency, *Poland your business Partner. Invest in Poland, 2016.*

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**INNOWACYJNA GOSPODARKA**  
NARODOWA STRATEGIA SPÓJNOŚCI



**MINISTERSTWO  
ROZWOJU**

**UNIA EUROPEJSKA**  
EUROPEJSKI FUNDUSZ  
ROZWOJU REGIONALNEGO



Projekt jest współfinansowany przez Unię Europejską ze środków Europejskiego Funduszu Rozwoju Regionalnego