

# INFORMATION

## No subsidies from PFRON during premiums vacations

**Traders with disabilities must pay special attention to the new ZUS premium reimbursement rules. Taking advantage of premium vacations prevents the trader from getting a reimbursement from PFRON for the month in which the preference was applied.**

According to the explanations provided by the State Fund for the Rehabilitation of Disabled Persons (PFRON), the introduction of “premium vacations” from 1 November 2024 has had a significant impact on the rules for the reimbursement of premiums to traders with disabilities. The new regulations present traders with an important choice – to apply the one-off exemption or to remain eligible for a reimbursement from PFRON.

PFRON has stressed that a key condition for reimbursement is the actual payment of premiums to ZUS. When taking advantage of “premium vacations” that exempt from the obligation to pay premiums for a chosen month, one automatically loses eligibility for being reimbursed for that month. In 2024 this pertained to December, as it was the only month for which traders could claim the new relief. The same rule will apply in 2025 – traders will not be able to apply for a reimbursement from PFRON for the month in which they decide to take advantage of premium vacations (“premium vacations” can be taken for one month each year).

An important aspect pointed out by PFRON is the matter of de minimis aid. “Premium vacations” are classified as such aid, which imposes additional reporting obligations on traders. They must check the appropriate field in item 47 of application form Wn-U-G for the period following the receipt of relief and attach relevant documentation.

The Fund has specified that the receipt of aid can be documented with a certificate or a statement. If it is a statement, it must contain complete information about the aid received, including information about the authority that granted the aid, the beneficiary, the amount (also as a EUR equivalent), the date granted and the legal basis.

PFRON has also pointed out the principle of one-time submission of documentation. Where a trader submits a certificate or statement about having received de minimis aid with his application for January 2025, he will not have to submit

the same documents with subsequent applications as long as he received no new de minimis aid.

According to PFRON’s interpretation, traders who have previously submitted complete applications and have since received no new de minimis aid can either leave item 47 in later Wn-U-G applications blank, or check the box “Yes, only from PFRON”.

These significant changes make it necessary for traders with disabilities to carefully plan and make informed decisions on the use of available forms of support. PFRON has pointed out the need to carefully analyze the benefits resulting from both forms of assistance before deciding to take advantage of the “premium vacations” option.





# Last days to file ZUS IWA for 2024

**31 January 2025 is the deadline for the filing of “Information used to determine accident insurance premium” (ZUS IWA) for 2024. It is important to remember that this requirement does not, however, apply to all traders – it is limited to entities that meet strictly defined criteria.**

According to the regulations, the requirement to submit ZUS IWA applies to remitters who meet three conditions. A key condition is to be continuously registered with ZUS as an accident insurance remitter throughout the entire 2024 and for at least one day in January 2025. Importantly, “continuous registration” is defined as a situation where at least one employee was subject to accident insurance in each month of the reporting period.

The second fundamental criterion is the employment threshold. The requirement to file ZUS IWA applies to only those traders who in 2024 submitted an average of at least 10 insureds. The calculation of this average is described in detail – it is the sum of insureds from each month divided by 12, where the following rules of rounding off apply: if the ending is equal to or higher than 0,5 – we round up, if lower – round down.

The last condition that must be met is to be entered in the REGON register as at 31 December 2024. This formal criterion confirms the active status of business activities. It should be stressed that failure to meet at least one of the above conditions exempts from the obligation to submit ZUS IWA. For example, where a company has an average of 9,4 employees (9 when rounded down), it does not have to file the document, even if it meets the other criteria.

Timely and correct filing of information ZUS IWA is important for traders, as the data it contains has a direct impact on the amount of their future accident insurance premiums. This is why it is essential to prepare the document carefully and to meet the statutory deadline for its filing.

Remitters file ZUS IWA in the same form as they use to submit the documents specified in social insurance system regulations. If a remitter is required to file insurance documents electronically through data transmission from the Płatnik program, then ZUS IWA should also be submitted in this form.





# Significant changes for the unemployed and employers coming in 2025

The government has adopted a draft bill on the job market and employment services, which is expected to revolutionize the operation of public employment services. The new regulations will make it easier for farmers to obtain the status of unemployed, simplify procedures for traders and increase the availability of training. The changes are to go into effect as early as in the first half of 2025.

The approaching reform of public employment services (PSZ) makes fundamental changes in the operation of employment offices. The new law, a draft of which was adopted by the government in December 2024, is meant to adapt the activities of PSZ to the current job market needs and to the expectations of both employers and job seekers. One of the key changes is broadening the definition of unemployed person. For the first time, farmers with farms in excess of 2 conversion hectares, who have no regular income, will be able to file for unemployed status. This is a major change meant to make it easier for those who leave farming to retrain. The bill introduces significant simplifications for traders. It calls for reducing bureaucracy and reporting obligations, which is to translate into more effective cooperation between the authorities and employers. It also provides for automating and modernizing the services provided by employment offices, which should speed up the performance and improve the effectiveness of those services. In the new regulations special attention is given to those groups that need additional support. The draft calls for dedicated programs for young people, seniors, people with disabilities and women with children. In addition, special support is to be provided to those who plan to start their own businesses.

Another notable change is the broadening of access to the National Training Fund. It is to be available to sole proprietors and those working on the basis of civil law agreements. At the same time, there is to be more flexibility in the management of the Labor Fund.

The amendments also organize the issues related to the “Active Parent” benefit. Under the new regulations, the benefit will be excluded from the definition of income under the Social Assistance Act. This means that receiving the benefit will not affect one’s eligibility for other forms of assistance based on the income criterion. Importantly, the regulation will also apply to cases started and not completed before the effective date of the act.

The new regulations are to go into effect as early as in the first half of 2025 – to be precise as of the first day of the month after 14 days of the act’s publication in the Journal of Laws. This fast pace is meant to ensure that the new solutions to improve the functioning of the job market are implemented as quickly as possible.



## IN SHORT

### **New power of attorney forms as of January**

1 January 2025 was the effective date of the Minister's of Finance Decree of 9 October 2024 on the specimen forms for granting special powers of attorney and appointing service agents, as well as specimen forms for notifying of a change, revocation or termination of such powers (2024 Journal of Laws, item 1549). The decree introduced the following new forms: special power of attorney (PPS-1); appointment of service agent (PPD-1); notice of change, revocation or termination of special power of attorney (OPS-1); notice of change, revocation or termination of service agent (OPD-1).

### **Christmas Eve to become a public holiday for store employees**

On 24 December 2024 the president signed into law the Act of 6 December 2024 amending the Act on public holidays and certain other acts. The Act establishes 24 December – Christmas Eve – as a public holiday. At the same time, there will be no ban on trading on three consecutive Sundays preceding Christmas Eve. The act guarantees store employees a day off work and free from trade-related activities, such as stocking shelves. In practice this means that in December store employees will work a maximum of two Sundays.

### **Tax authorities explain how to account for premiums on disposal of fixed assets**

As a rule, traders will not include revenues from the disposal of fixed assets (and the related tax-deductible costs) in the health insurance calculation base. If, however, a trader chooses to submit a statement of including revenues from the disposal of fixed assets (and the related tax-deductible costs) in the health insurance calculation base, then for a sale in 2025 of a fixed asset on which depreciation charges were claimed as tax-deductible costs before 1 January 2022, the trader will calculate his income in accordance with Article 24 par. 2 sentence 2 of the PIT Act – according to the answer given to the media by the Ministry of Finance on 16 December 2024 in response to a question posed by journalists.

### **Supplemental payment to be made with social pensions**

As of 1 January 2025, those eligible for a social pension and completely incapable of working and functioning on their own can receive additional support in the form of a supplemental payment to their social pension. Information on qualifying for this supplemental payment will be provided by ZUS on its eZUS Electronic Services Platform. The supplemental payment





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amounts to PLN 2520 and will be adjusted for inflation once a year. ZUS will reduce it by the health insurance premium and income tax advance. The supplemental payment will be subject to withholding and garnishment on the same bases as the social pension. It will be paid out together with the social pension. ZUS will make the first payments in May 2025.

## Higher subsidies to the wages of persons with disabilities

As of 1 January 2025 applications are being accepted for higher subsidies to the wages of employees with a disability certificate. They amount to, respectively: PLN 2760 (previously PLN 2400) for those with a significant degree of disability; PLN 1550 (previously PLN 1350) for those with a moderate disability; and PLN 575 (previously PLN 500) for employees with a mild degree of disability.

## New codes for benefits during supplementary parental leave

The Government Legislation Center has published on its website a decree amending the decree on, among other things, the specimen forms of social and health insurance notifications, reports and premium remitter notifications. The change has to do with the extension of maternity leave for the mothers or actual caretakers of premature and sick newborns requiring hospitalization by the duration of the newborn's stay in the hospital (supplementary parental leave). A maternity benefit will

be paid for the period of supplementary maternity leave as set out in the Act of 25 June 1999 on cash benefits in the event of illness and maternity (2023 Journal of Laws, item 2780).

## Increase in annual limit in ZUS premium calculation base

The Minister of Family and Social Policy has set the amount of the forecast average monthly salary in 2025 at PLN 8673 (2024 Polish Monitor, item 1051). This amount correlates with the limit in the annual retirement and disability premium calculation base, set at 30 times that amount. This means that in 2025 this limit amounts to PLN 260 190. In 2024 it amounted to PLN 234 720. Generally it is the remitter who checks if the employee's annual income has reached the 30-fold limit. This does not, however, apply to situations when the employee has more than one employer.

## Increase in social insurance (ZUS) premiums paid by traders

In 2025 a full set of ZUS premiums for a trader amounts to PLN 1646,47 without sickness insurance, and PLN 1773,96 with sickness insurance. Premiums at the new amount must be paid by 20 February 2025 for January (this does not, however, apply to cases where the trader is claiming so-called premium vacations for January). In addition to the ZUS premiums, traders also pay health insurance premiums. Paid by 20 January 2025 for December of the previous year the premiums amount to PLN 1485,31 and PLN 1600,32, respectively.

## As of January higher flat-rate health insurance premiums for payers of lump-sum tax

Traders who have chosen to be taxed in the form of lump-sum tax on registered revenues must pay premiums based on the amount of revenues earned in a given calendar year. In 2025 the premium will amount to: for annual revenues of up to PLN 60 thousand – PLN 446,53, for annual revenues of up to PLN 300 thousand – PLN 744,22, for annual revenues of more than PLN 300 thousand – PLN 1339,60. However, in 2025 it is still possible for taxable persons who pay lump-sum tax on registered revenues to deduct half of their health insurance premiums from their revenues.

## PIT-11 and PIT-4R can be filed without electronic signature

Employers have until 31 January to submit PIT-11 and PIT-4R. Organizations (including companies, foundations, associations) can do this through their e-Tax Office (e-US) accounts without the need to sign the forms. Their accounts are accessible by those they have authorized, so-called organization account users. Organizations can easily give access to their accounts to individuals who have a PESEL number. To do this, the organization submits a request to grant access to its account,



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to the head of the relevant tax office with jurisdiction over taxable person and tax remitter records. Authorized persons use the services of e-US on behalf of the organization. The organization can request one of two types of access for each of its users – basic or extended. Extended access users can grant and revoke access to the organization’s account for other users via e-US.

### **Mobbing to have a new definition in the Labor Code**

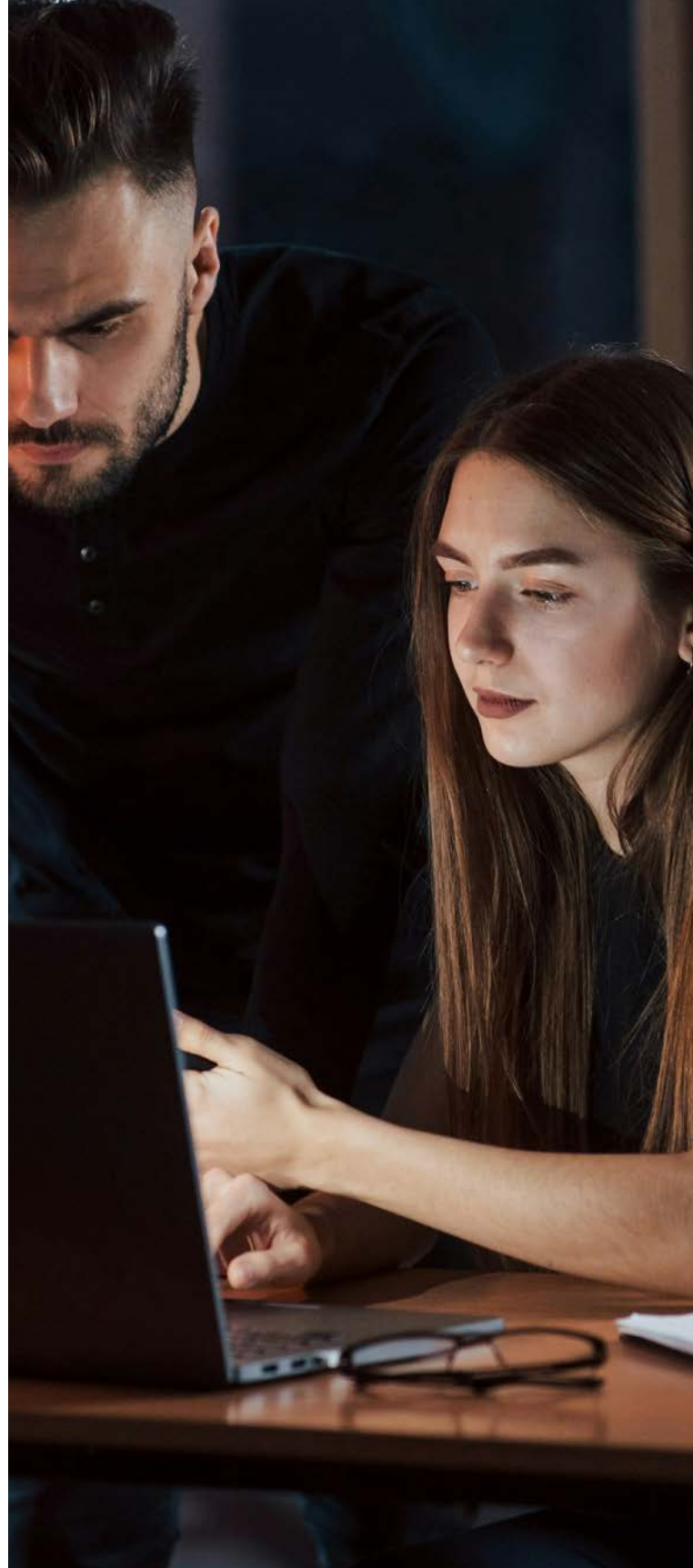
A draft of amendments to the Labor Code prepared by the Ministry of Family, Labor and Social Policy is to introduce a new definition of mobbing to the Labor Code. Mobbing is currently defined in Article 94 of the Labor Code, as actions or behaviors relating to an employee, or directed against an employee, consisting of persistent and prolonged harassment or intimidation of the employee. The definition further talks about intimidating, humiliating, ridiculing and isolating a coworker. After the change, mobbing will signify behaviors consisting of persistent harassment of an employee. The persistence of harassment means that it is repetitive, recurring or permanent. The following will be considered mobbing: humiliation or disparagement; intimidation; depreciation of professional capabilities; unfounded criticism; isolation of an employee.

### **New amount of minimum wage in effect**

As of 1 January 2025 the minimum monthly salary amounts to PLN 4666, whilst the minimum hourly rate amounts to PLN 30,50. This is according to the Council of Ministers Decree of 12 September 2024 (Journal of Laws item 1362). This means that the minimum monthly salary has gone up by PLN 366 from the amount that was in effect from 1 July 2024. This significant increase in minimum wage has a material impact on a series of other benefits and payments that are based on this value. The new monthly rates apply to all employees working based on employment contracts, and the minimum hourly rate pertains to those who provide work based on certain civil law agreements.

### **ZUS sending out information on 2024 balances**

On 7 January 2025 the Social Insurance Office started the process of informing premium remitters about the balances of their accounts for the year 2024. Information is being made available on individual PUE/eZUS accounts and contains detailed account balance data – overpayments, underpayments or zero balances. In the event of an underpayment, ZUS encourages its immediate payment by offering installment payments. Remitters can use the assistance of relief advisors who will help determine the best terms for the repayment of debt. Small arrears can be added, along with interest charges, to current payments. Remitters with an overpayment can choose to use it to cover current premiums or request a refund by submitting application RZS-P. Refunds are made only to bank accounts registered with ZUS. The information reflects payments posted up until 31 December 2024.



# IMPORTANT INTERPRETATIONS AND RULINGS

## Not every form of education exempts a contract from ZUS premiums

↓ The Social Insurance Office has explained (decision number DI/200000/43/886/2024) that not every form of education is eligible for an exemption from ZUS premiums on a contract for services. The authority found that a vocational qualification course does not give the status of student, which is the basis for an exemption from premiums on contracts for services concluded with the participants of such courses. In its decision ZUS stressed that vocational qualification courses are non-school forms of continuing education for adults interested in obtaining and supplementing their knowledge. In such cases, the course covers the core curriculum for a single qualification in a vocation. The participant is therefore not a student and is not eligible for an exemption.

## Remote work allowance not to be included in ZUS premium calculation base

↓ Owing to the fact that the payment of a cash equivalent or allowance for remote work does not constitute income as defined in the PIT Act, it does not need to be added to the calculation base for social and health insurance premiums and the labor and FGŚP funds – indicates an interpretation issued by ZUS on 17 December 2024 (number DI/100000/43/891/2024). The case concerned a company that distributes technical products, which pays its employees an allowance to cover the costs of remote work. The allowance covers the costs of installing, maintaining and operating equipment, as well as the costs of utilities and telecommunications services. According to the company's regulations, the allowance is paid out at a fixed amount, irrespective of the actual period of time work is provided remotely in a given month.

## No social insurance premiums on remuneration paid to attorney-in-fact

↓ On 29 November 2024 the Gdańsk Branch of ZUS issued an interpretation on the payment of premiums on the remuneration paid to an attorney-in-fact (number DI/100000/43/958/2024). The decision confirms that a trader performing accounting and tax advisory activities does not have to pay social insurance premiums on the remuneration paid to an employee for acting in the capacity of an attorney-in-fact. The key argument is the fact that the power of attorney does not arise out of the employment contract, and the basis for acting in that capacity is the power of attorney itself. A person acting as an attorney-in-fact is not listed in the catalog of those subject to mandatory social insurance. Remuneration for performing this function, paid out at a fixed amount irrespective of the tasks performed, does not constitute a basis for the calculation and payment of social insurance premiums, including sickness and accident insurance premiums.

## ZUS interpretation on premiums for a trader's spouse

↓ On 4 November 2024 the Lublin Branch of ZUS issued a significant interpretation (number DI/200000/43/969/2024) on the rules of social insurance coverage for a trader's spouse who also operates his/her own business. In its decision ZUS states that it was correct to cover with social insurance the person who collaborated in running the spouse's business. ZUS also decided that where the spouse simultaneously runs his/her own business, there is no obligation to pay double premiums. The key element of this assessment was recognizing that revenues generated from the trader's own business will be classified separately from the revenues from collaborating on the business of the spouse. Wynagrodzenie za pełnienie tej funkcji, wypłacane w stałej wysokości niezależnie od wykonywanych czynności, nie stanowi podstawy do naliczania i odprowadzania składek na ubezpieczenia społeczne, w tym składek na ubezpieczenie chorobowe oraz ubezpieczenie wypadkowe.





# CALENDAR

## 20 January 2025 (Monday)

- ✓ Payment of ZUS premiums for December 2024 – other premium remitters
- ✓ Payment of lump-sum tax on income from: hidden profits and expenses not related to business activities – if a withdrawal, expense or performance was made in December 2024; change in the value of assets – if an acquisition, transformation or contribution in kind was made in December 2024
- ✓ Payment for December 2024 of advances collected on employment income
- ✓ Payment for December 2024 by remitters of advances collected for income tax or lump-sum income tax
- ✓ Payment of advance for personal income tax and corporate income tax for December 2024 or the last quarter of 2024
- ✓ Payment for December 2024 of income tax on income from a fixed asset that is a building
- ✓ Payment by a holding company representing a tax group of the tax advance collected for December 2024
- ✓ Payment of lump-sum tax if in December 2024 dividend income and other income from shares of profits of legal entities was spent inconsistently with the purpose specified in declaration (CIT-5)
- ✓ Payment by real estate company of a tax advance for December 2024 and sending to taxable person of information on amount of tax advance paid (PIT-ISN and CIT-ISN)
- ✓ Payment of tax on a performance or asset transferred or made available by a family foundation in December 2024
- ✓ Payment for December 2024 to PFRON



## 27 January 2025 (Monday)

- ✓ Payment of VAT for December 2024
- ✓ Payment of VAT for 4th quarter of 2024
- ✓ Filing of VAT-8, VAT-9M, VAT-12 for December 2024
- ✓ Transmission of SAF\_V7M for December 2024
- ✓ Transmission of SAF\_V7K for December 2024 (record section for December 2024 and declaration section for 4th quarter of 2024)
- ✓ Filing by tax representative of VAT-13 for December 2024
- ✓ Submission of recapitulative statement on VAT EU intra-Community transactions for December 2024
- ✓ Reporting of sugar tax for December 2024
- ✓ Reporting of retail sales tax PSD-1 for December 2024
- ✓ Submission to PFRON of documents relating to additional financing of the wages of disabled employees for December 2024



## 31 January 2025 (Friday)

- ✓ Submission to the tax office of information on revenues from other sources, income and income tax advances collected in 2024 (PIT-11)
- ✓ Submission to the tax office of information on certain income from capital gains in 2024 (PIT-8C)
- ✓ Submission to the tax office of the annual calculation of tax by the disability authority/information on income from the disability organ for 2024 (PIT-40A/11A)
- ✓ Filing of annual declaration of income tax advances for 2024 (PIT-4R)
- ✓ Filing of annual declaration of lump-sum income tax for 2024 (PIT-8AR)
- ✓ Filing of CIT-10Z and CIT-6R for 2024
- ✓ Filing of CIT-6AR
- ✓ Filing of notification ZAW-RD on having chosen lump-sum taxation of corporate income
- ✓ Filing of information PIT-R on amounts paid to taxable person for performing social and civic duties for 2024
- ✓ Filing of CIT-11R for 2024
- ✓ Filing of statement OSW-RD
- ✓ Provision to KAS of cross-border payment records for 4th quarter of 2024
- ✓ Submission to ZUS of information ZUS IWA on data for 2024
- ✓ Submission to PFRON application for a refund of retirement and disability insurance premiums paid for November 2024
- ✓ Filing of VII-DO for December 2024
- ✓ Filing of VIU-DO for 4th quarter of 2024
- ✓ Filing of VIN-DO for 4th quarter of 2024
- ✓ Information of opting out of forming a ZFŚS



# KALENDARIUM

## 5 February 2025 (Wednesday)

- ✓ Filing of VAT-14 on output VAT due on intra-Community acquisition of engine fuels for January 2025



## 7 February 2025 (Friday)

- ✓ Payment of lump-sum income tax collected in January 2025 on amounts paid to a foreign legal entity
- ✓ Payment of lump-sum income tax collected in January 2025 on dividend income and other amounts from shares of profits of legal entities
- ✓ Payment by acquirer of lump-sum income tax for January 2025
- ✓ Filing PIT-NZ and PIT-NZS for January 2025 and payment of the resulting tax
- ✓ Filing of CIT-NZ for January 2025 and payment of the resulting tax



## 10 February 2025 (Monday)

- ✓ Filing of INTRASTAT for January 2025



## 17 February 2025 (Monday)

- ✓ Payment of ZUS premiums for January 2025 – remitters with legal personality
- ✓ Payment to PPK



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