

ACT of 2 July 2004 ON FREEDOM OF ECONOMIC ACTIVITY

(Consolidated text: Dziennik Ustaw 2007, No. 155, item 1095, No. 180, item 1280; 2008, No. 70, item 416, No. 116, item 732, No. 141, item 888, No. 171, item 1056, No. 216, item 1367; 2009, No. 3, item 11, No. 18, item 97)

Chapter 1. General Provisions

Article 1. This Act governs the assumption, conduct and termination of economic activity on the territory of the Republic of Poland and the tasks of public administration authorities in this respect.

Article 2. Economic activity shall mean a professional profit-gaining activity in the fields of production, construction, commerce, services and in the prospecting for, exploration and extraction of minerals from deposits, as well as a professional activity carried on in an organised and uninterrupted manner.

Article 3. The provisions of this Act shall not apply to agricultural production activity in the realm of crop farming and animal husbandry, horticulture, market gardening, forestry and inland-water fisheries, or to the renting by farmers of rooms, the sale of home meals and the provision in agricultural farms of other services in connection with the stay of tourists.

Article 4. 1. Within the meaning of this Act the entrepreneur shall be a natural person, legal person, and an organisational entity which is not a legal person and is endowed with legal capacity by force of a separate Act – carrying on economic activity in their own name.

2. Partners in a civil partnership shall also be entrepreneurs to the extent of an economic activity conducted by them.

Article 5. The terms used in this Act shall mean:

1) a concession-granting authority – a public administration authority empowered under this Act to issue, refuse, modify or withdraw concessions;

2) a foreign person:

a) natural person holding no Polish citizenship;

b) legal person having its seat abroad;

c) organisational entity which has no legal personality and is endowed with legal capacity, having its seat abroad;

3) foreign entrepreneur – a foreign person pursuing economic activity abroad;

4) branch – an isolated and organisationally independent part of economic activity carried on by an entrepreneur outside his seat or principal place of pursuit of the activity;