

ACT
of 24 March 1920
ON THE ACQUISITION OF IMMOVABLE
PROPERTIES BY FOREIGNERS

(Consolidated text: Dziennik Ustaw 2004, No. 167, item 1758 with subsequent amendments: Dziennik Ustaw 2005, No. 94, item 788, No. 183, item 1538; 2008, No. 180, item 1112, No. 216, item 1367; 2011, No. 85, item 458)

Article 1. 1. Acquisition of immovable properties by a foreigner shall require a permit. The permit shall be issued by the minister competent for internal affairs by an administrative decision unless the Minister of National Defence lodges an objection, and as regards the agricultural immovable properties – unless the minister competent for rural development lodges an objection.

1a. The objection referred to in paragraph 1 shall be expressed, by a ruling, within 14 days of serving the paper prepared by the minister competent for internal affairs. In particularly justified cases the minister competent for internal affairs shall, upon a request of an authority entitled to lodge an objection, extend the time limit for lodging thereof up to 2 months of the day of serving the paper prepared by said minister.

1b. A refusal to grant the permit referred to in paragraph 1 shall not require that either the Minister of National Defence or the minister competent for rural be addressed.

2. Under this Act, a foreigner shall mean:

- 1) a natural person not having the Polish citizenship;
- 2) a legal person having its seat abroad;
- 3) a partnership of the persons referred to in subparagraph 1 or 2 having no legal personality and with its seat abroad, created in compliance with statutory law of foreign states;

- 4) a legal person and a commercial partnership having no legal personality and with its seat in the territory of the Republic of Poland, which is directly or indirectly under the control of the persons or partnerships mentioned in subparagraphs 1 to 3;

3. In respect of a commercial company or partnership, a controlled company or partnership under the statutory law shall mean a company or partnership in which a foreigner or foreigners directly or indirectly hold over 50 per cent of votes at a meeting of shareholders or at a general meeting, said persons holding the percentage also as pledgees, usufructuaries, or under arrangements with other persons, or