

# ACT of 2 July 2004 ON FREEDOM OF ECONOMIC ACTIVITY

(Consolidated text: Dziennik Ustaw 2010, No. 220, item 1447 with subsequent amendments: No. 239, item 1593; 2011, No. 85, item 459, No. 106, item 622, No. 112, item 654, No. 120, item 690, No. 131, item 764, No. 132, item 766, No. 153, item 902, No. 163, item 981, No. 171, item 1016, No. 199, item 1175, No. 204, item 1195, No. 232, item 1378)

## Chapter 1. General Provisions

**Article 1.** This Act governs the undertaking, pursuit and termination of economic activity on the territory of the Republic of Poland and the tasks of authorities in this respect.

**Article 2.** Economic activity shall mean 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 2a.** In respect of the following types of economic activity: construction activity, commercial activity and activity in the field of services, as well as professional activity consisting in rendering services, the provisions of Article 5, provisions of Chapters 2 and 3 of the Act of 4 March 2010 on the Provision of services in the territory of the Republic of Poland (Dziennik Ustaw 2010, No. 47, item 278) shall apply accordingly.

**Article 3.** The provisions of this Act shall not apply to manufacturing activity in agriculture 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 and the manufacture of wine by producers being farmers making less than 100 hectolitres of wine per farming year, as referred to in Article 17, paragraph 3, of the Act of 12 May 2011 on the Manufacture and Bottling of Wine Products, Trading in these Products, and Wine Market Organization (Dziennik Ustaw 2011, No. 120, item 690).

**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.