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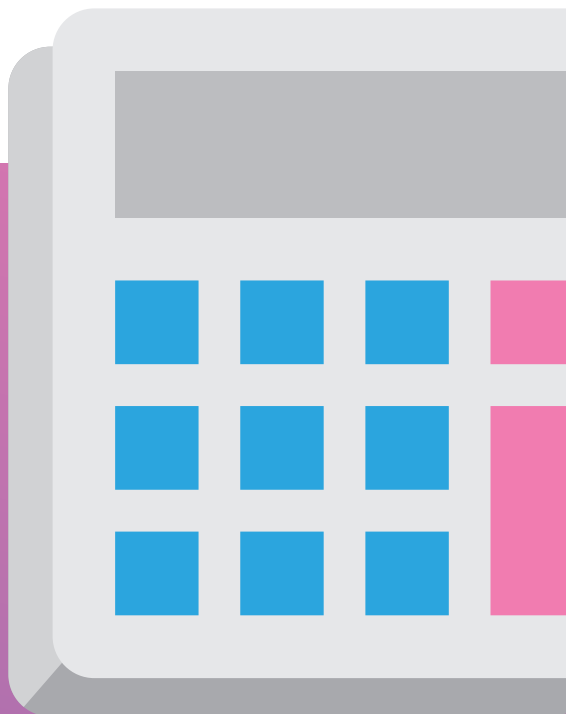
Informacja i pomoc
prawna dla migrantów

Taxes and Insurances

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How to Make It in Poland – Information Brochure for Foreigners

Taxes and Insurances

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How to Make It in Poland – Information Brochure for Foreigners.
Taxes and Insurances.

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Introduction

Foreigners living in Poland due to their work and/or studies, starting a family, planning to stay permanently – all of them need information about dealing with everyday formalities. Paying taxes and contributions is intrinsic to living and operating in Poland.

This publication updates a part of the information package published as part of the project: "Migrants in Poland – Information and Legal Assistance" co-financed by the European Fund for the Integration of Third-Country Nationals. The first section of this brochure provides a foreign recipient with straightforward essential information with regard to paying income tax – what income is, what the acronyms: NIP or PIT mean, how to file a yearly tax return, who is obligated to file such a return, etc. The second section includes the most significant information about insurance in Poland: types of insurance, payers of contributions, pension and health insurance, third party liability insurance and motor hull insurance. The brochure includes everything that an average man living nowadays in Poland should know about taxes and insurances: both a foreigner who has stopped here for a while and a foreigner who intends to stay permanently.

Prof. dr hab. Irena Rzeplińska

Taxes

1. What taxes are paid in Poland?
2. Tax identification number (NIP) – what is it and how can you obtain it?
3. Who pays personal income tax and on what is it paid?
4. What is subject to personal income tax?
5. How to calculate and pay personal income tax?
6. What is PIT?
7. Who files a tax return?
8. When and how do I have to file a tax return?
9. What to do if you did not file a tax return on time?
10. How to calculate the net amount (how much is your take-home pay)?



1. What taxes are paid in Poland?

In Poland, there are direct and indirect taxes.

Taxes are basically divided as follows:

→ **Direct taxes:**

- Personal income tax,
- Corporate income tax,
- Inheritance and gift tax,
- Tax on civil law transactions,
- Agricultural tax,
- Forest tax,
- Real estate tax,
- Vehicle excise duty;

→ **Indirect taxes:**

- Goods and services tax (VAT),
- Excise tax,
- Gambling tax.

Direct tax is paid directly to tax authorities. Its amount is strictly related to the (financial, professional) circumstances of a taxpayer. Whereas indirect tax is paid, so to say, automatically – when purchasing a good or service (VAT is included in the price of many goods and services). This chapter only discusses personal income tax.

2. Tax identification number (NIP) – what is it and how can you obtain it?

NIP is a tax identification number which you must hold if you conduct business activities. This number is necessary in many situations, but above all in any tax returns. In order to obtain it, you must file an application to the Head of the Revenue Office. A decision to award NIP is issued immediately, within 1-3 days. Each taxpayer only holds one NIP number. In the event of a change of particulars provided in the application (e.g. a change of address, bank account, last name etc.), you must file an update notification with applicable NIP forms available in a revenue office and on the website of the Ministry of Finance (www.mf.gov.pl).



IMPORTANT!

Since 1 January 2012, persons who do not carry out business activities and are included in the PESEL register do not have to hold the NIP number.

3. Who pays personal income tax and on what is it paid?

Personal income tax must be paid by all natural persons with income. Income exempted from the tax and income on which there is no taxation are exceptions to this rule. It is also worth knowing that spouses may apply for joint taxation on their incomes. Thanks to that, a married couple may as a result pay lower taxes, in particular when the difference between their wages is large (or only one of them works).

If you reside in Poland, you are subject to unlimited tax liability. This means that you are obligated to pay taxes in Poland on all your income (revenues) irrespective of the place where the sources of revenue are located. This is why it is an important piece of information whether your country of origin requires the so called double taxation. You are resident in Poland if the centre of your life interests is situated in Poland and you stay here for more than 183 days in a fiscal year. If you do not have a place of residence in Poland (in accordance with the definition presented above), you are subject to tax liability only on income (revenue) received in Poland (the so called limited tax liability).

4. What is subject to personal income tax?

Personal income tax is a personal tax which means that each natural person with income is a taxpayer. A surplus on the total amount of revenues and deductible expenses constitutes income.

If you have income from more than one source, the **total of incomes from all sources of income** is subject to taxation in a given fiscal year.

Therefore, you will pay income tax if you have income related to i.a.:

- ➔ **Working** in Poland,
- ➔ **Conducting** business activities in Poland,
- ➔ Selling real property located in Poland,
- ➔ Letting, subletting, letting for use and other agreements of similar nature,
- ➔ Pension, disability pension.

5. How to calculate and pay personal income tax?

The manner of calculating personal income tax depends on the source of income.

There are different manners of collecting personal income tax. The tax is most often deducted by a tax remittent (e.g. employer) in form of tax advances (e.g. from employment income) or lump-sum tax during a fiscal year. Personal income tax may also be paid directly by a taxpayer in form of advances during a fiscal year. This is true if you conduct business activities (the so called non-agricultural economic activity).

After the end of a fiscal year, all payers of income tax are obligated to file a return stating the amount of income (or loss incurred) in a given fiscal year to a revenue office competent for the place of residence until 30 April of the following year (namely: a return for the fiscal year of 2013 is to be filed until 30 April 2014). A tax return is filed on the PIT form (see point 6 of this section). Then, the return is verified by the revenue office. The settlement is made, taking into account advances paid. If the total of advances is lower than the amount of tax to be paid, then the taxpayer should pay the missing sum by e.g. a wire transfer to the account of their revenue office. However, if the total of advances is higher, the taxpayer receives a return of overpaid tax. The revenue office returns the taxpayer's money within 3 months of the date of filing the return (money is sent to the account that the taxpayer indicates in the NIP form; in the case of no account, the money is sent to the residence address by post).



IMPORTANT!

You can donate 1% of your tax to a public benefit organisation (OPP) of your choice. You are not charged with any fees to do that. If you do not choose OPP, the state budget will receive all your tax. The list of OPP organisations is available on the website of the Ministry of Labour and Social Policy: <http://www.mpips.gov.pl/bip/wykaz-organizacji-pozytku-publicznego/>.

6. What is PIT?

PIT is an abridged name of personal income tax which is a direct tax. A PIT form is a form on which you file a tax return. PIT forms include i.a. PIT-36, PIT-36L, PIT-37, PIT-38 and PIT-39. The most commonly used form is PIT-37 which is a typical tax return form **filed by employees, contractors** and other persons on behalf of whom a tax remitter calculates and collects tax advances (place of work, contracting party etc.). **PIT-37 is filed by taxpayers** if they received the following incomes only from the tax remitter from sources located in Poland:

- ➔ Salaries and other revenues from a business relationship, an employment relationship (including a co-operative employment relationship) and work under contract,
- ➔ Pensions or disability pensions in Poland (including structural disability pensions, social disability pensions),
- ➔ Pre-pension benefits, pre-pension allowances,
- ➔ Amounts receivable for the participation in agricultural manufacturing co-operatives or other co-operatives that handle agricultural production,
- ➔ Monetary benefits from the social insurance,
- ➔ Scholarships,
- ➔ Revenues from activity carried out personally (i. a. from contracts of mandate, management contracts, sitting on supervisory boards, fulfilling social obligations, sports activity),

- ➔ Revenues from copyrights and other property rights,
- ➔ Benefits paid from the Labour Fund or the Guaranteed Employee Benefits Fund,
- ➔ Amounts receivable for work that temporary arrestees and convicted persons are entitled to.

A tax return on the PIT-36 form is filed by taxpayers with revenues (income) subject to taxation in line with general principles with the use of tax scale without the intermediation of a tax remittent. The form is filed mainly by taxpayers who:

- ➔ Conducted non-agricultural activity according to a tax scale,
- ➔ Received income from letting, subletting, letting for use, subletting for use or other agreements of similar nature,
- ➔ Received income from abroad.

7. Who files a tax return?

A PIT yearly return is to be filed by all taxpayers with any revenues in a fiscal year even if they incurred loss in the end. Taxpayers conducting business activities are obligated to file a yearly tax return even if they did not receive any income or revenues but their business activity was suspended throughout the year. Only taxpayers with no revenues or income (who earned nothing at all) whose business activity was not registered in a revenue office as well as taxpayers who only received foreign income exempted from taxation in Poland are allowed not to file a yearly return. On behalf of some taxpayers, yearly returns are filed by tax remitters (an employer for an employee at the employee's request, a pension authority, e.g. ZUS, if the taxpayer does not file a return on their own). The obligation to file a tax return is imposed both on people with a place of residence in Poland (Polish tax residents) and people with no place of residence in Poland (foreign tax residents). The criterion is whether revenues or income subject to taxation in Poland was made or not in compliance with international agreements and the Polish tax law.

8. When and how do I have to file a tax return?

Until:

- ➔ **31 January 2014:** PIT-16A, PIT-19A, PIT-28 (lump-sum tax);
- ➔ **28 February 2014:** PIT-40 (for an employee), PIT-40A (ZUS for a recipient of benefits);
- ➔ **30 April 2014:** PIT-36 (business activity), PIT-36L (linear tax), PIT-37 (employment), PIT-38 (stock market), PIT-39 (real properties).

IMPORTANT!

The time limit lapses at 23:59 on the day indicated above.



Persons residing abroad (foreign tax residents) who:

- ➔ Have income without the intermediation of tax remitters (e.g. employer),
or
- ➔ Have income with the intermediation of a tax remittent if the tax remittent is not obligated to calculate annual tax on their behalf (like e.g. an employer, a pension authority, ZUS),
or
- ➔ Have capital income,
Are obligated to file a yearly return before leaving Poland. In such a case, the deadline for filing PIT-37 may fall even much earlier than on 30 April.

A tax return may be filed in the following ways:

- ➔ Directly in a revenue office,
- ➔ By post (ordinary mail – then the date of filing a return is deemed to be the date of receipt of the letter at the revenue office, registered mail – then the date of filing is the date of posting it in an office of Poczta Polska),
- ➔ By electronic means – by sending the return in form of an electronic document to a revenue authority and obtaining an official confirmation of receipt, with the use of a computer programme downloaded from the website of the Ministry of Finance,
- ➔ Directly in a Polish consular office (a transmission fee usually amounts to EUR 18).



NOTE!

Dispatch by registered mail from abroad is considered the same as a dispatch by ordinary mail – the date of receipt at the revenue office is binding. A taxpayer accepts in such a case the risk of delay or loss of the shipment on the way. Therefore, it is a very unsecure manner of filing a yearly return.

Sometimes filling in a tax return may pose some difficulties – especially to people who are doing it for the first time or do not know the Polish language. It is worth knowing that there are companies that fill in PIT forms (the price of such a service usually amounts to a few dozen zlotys). If a tax return is drawn up by a specialist, it is a good idea to obtain their signature on your copy of return in order to claim possible compensation for incorrect filling in of the form. Apart from that, when a tax settlement period approaches, various dailies include a CD with tax settlement programmes. Instructions how to fill in a tax return are also available on the website of the Ministry of Finance. The return can be filled in with the use of a programme downloaded from the website of the Ministry of Finance. No electronic signature is






required to file a return. A taxpayer is verified by 5 personal details: NIP (tax identification number) or PESEL (personal identification number), first name, last name, date of birth, amount of income indicated in a return or yearly tax calculation for a fiscal year two years before a year in which an electronic document is filed (when you file a return for 2013, you state amounts from the return for 2012).



NOTE!

Before filing a return, it is recommended to make a copy for you and verify whether there are any obvious errors and mistakes.

The most common ones are:

-  **Errors in mathematical calculations (tax addition, calculation),**
-  **Incorrect details of a taxpayer (inconsistent with the recent NIP form filed),**
-  **No NIP number or a signature of a taxpayer,**
-  **Inconsistence of amounts indicated in the current return with amounts resulting from returns filed in previous years (e.g. amounts of deductions or losses),**
-  **Deduction that exceed the limit.**

If there are doubts as to the correctness of a return filed, a revenue office may summon a taxpayer to provide necessary explanations or complete a return within a specified time limit by stating the reasons for questioning the accuracy of details in the return. A revenue office may request explanations regarding the reasons for failing to file a return or request a return to be filed if it was not filed timely despite the obligation to that effect.

9. What to do if you did not file a tax return on time?

If you did not file a tax return in time, you must do it as soon as possible and actively express regret – inform the revenue office that you did not file a tax return and explain the reasons for the delay. If you miss the deadline for filing a return and paying tax resulting from the return, you need to pay the tax and calculated interest for default. A penalty for failing to pay tax on time may amount to 1/10 of to 20 times the amount of the minimum wage. For instance, the minimum wage in 2013 amounts to PLN 1,600. The fine may therefore amount to as much as PLN 32,000 (not less than PLN 160).

10. How to calculate the net amount (how much is your take-home pay)?

The salary, which an employer and an employee agree on, usually is a gross amount. So to calculate the net amount, i.e. your take-home pay, you need to deduct pension, disability pension, sickness, health insurance contributions (compare with the section **Insurance**) and a tax advance. Calculating contributions is fairly complicated, in addition the provisions of law frequently change. This is why you should know that there are “pay calculators” available online. You can use them to calculate your income (e.g. on the websites: www.pracuj.pl or www.infor.pl).

Insurance

1. **Social insurance**
2. **Additional information concerning pension insurance**
3. **Health insurance**
4. **Other insurance**



1. Social insurance

1.1. What are the types of social insurance in Poland?

Social insurance includes:

- ➔ **Pension insurance** – it is from this insurance that pension is later paid out,
- ➔ **Disability pension insurance** – it is from this insurance that any disability pension is paid, including also survivor's benefits paid to family members following the death of the insured,
- ➔ **Sickness insurance** – insurance against sickness and in the event of maternity, it covers the costs of a hospital stay,
- ➔ **Accident insurance** – insurance against accidents at work and occupational diseases.

The pension insurance system in Poland consists of 3 pillars!:

- ➔ First pillar: Social Insurance Institution (ZUS),
- ➔ Second pillar: Open Pension Funds (OFE),
- ➔ Third pillar: Individual Retirement Account and Employee Pension Schemes.

ZUS plays a fundamental role in the pension system within the first pillar since it is this institution that keeps individual accounts for the insured and pays pensions. Contributions for the first and second pillar are mandatory. Insurance in the third pillar is voluntary.

¹ As at 30 September 2013.

1.2. Who is subject to mandatory pension and disability pension insurance?

You are subject to mandatory pension and disability pension insurance if you work (are an employee) in Poland, perform work under agency agreement, contract of mandate or another service agreement.

If you work in several places at the same time, you are obligatorily covered by insurance from the employment relationship which was created the earliest. However, you can voluntarily at your request be covered by pension and disability pension insurance also from other employment relationships (all or chosen) or change the insurance title.

1.3. Are you subject to sickness insurance?

Yes, if you are an employee. It is mandatory insurance. If you perform work under contract, contract of mandate, agency agreement or another service agreement, conduct non-agricultural activity, are a clergyman, you can voluntarily at your request be covered by insurance by submitting an applicable form to ZUS.

1.4. Are you subject to accident insurance?

Yes, it is mandatory if you are subject to pension and disability pension insurance².

1.5. In what periods are you subject to: obligatory pension, disability pension, sickness and accident insurance?

You are obligatorily covered by the pension, disability pension, sickness and accident insurance in the following periods:

- ➔ Employees – from the date of establishing an employment relationship until termination of such a relationship; i.e. throughout the term of the agreement,
- ➔ Mandataries – from the date specified in the agreement as the beginning of its performance until the date of termination or expiry of this agreement.

² There are some exceptions – visit e.g. the websites of ZUS.

1.6. Who pays contributions?

Pension contributions are paid by yourself (i.e. an employee, mandataries) and contributions payers, i.e. mainly employers. Disability pension contributions are paid both by the insured (1.5% of the contribution assessment basis) and contributions payers (6.5%). Sickness insurance contributions are financed in full by the insured, while accident insurance contributions are paid by contributions payers.

Pension, disability pension, accident and sickness insurance contributions are calculated, deducted and paid in full to the Social Insurance Institution (ZUS) for the insured by the employer. Contributions are paid monthly, until the 15th day of each month. Technically, ZUS contributions are usually paid by an employer – they pay their part of the contribution and the part deducted from the employee's salary. It is therefore said that it is an employer who is the contributions payer. The insured can also be the payer if they are obliged to pay their social insurance contributions (they carry out business activities, pay social insurance contributions voluntarily).

1.7. How are contributions calculated?

Your income constitutes the basis for the calculation of the pension, disability pension and sickness insurance. Rates of contributions are expressed in percent and are equal for all insured. However, rates of accident insurance contributions are different for individual payers and they depend on the level of occupational risk and its consequences.

Rates of contributions are as follows:

- ➔ **19.52%** of the contribution assessment basis – for pension insurance,
- ➔ **8%** of the contribution assessment basis – for disability pension insurance,
- ➔ **2.45%** of the contribution assessment basis – for sickness insurance,
- ➔ **From 0.67% to 3.86%** of the contribution assessment basis – for accident insurance.

1.8. Who registers the insured in ZUS and when?

Your employer is obliged to register you for social insurance purposes. They must do it within 7 days from the date on which you start work. After the first registration, your account in the Social insurance Institution (ZUS) is established. ZUS maintains accounts designated with PESEL (personal identity number) or, if you do not have this number, with, for example, the series and number of your ID card or passport. The account includes information on the pension contributions rate, excluding Open Pension Funds contributions. The employer is also obliged to report any changes.

1.9. Will I receive confirmation of contributions payment?

Yes, employers are obliged to provide information about the payment of contributions only once a year, until 28 February, for the preceding year. At your request, the employer may provide it once a month. The information may be provided on the ZUS RMUA form or in any other manner – the most important thing is that it is the information required by the provisions of law. If the employer does not make such information available to you, you can check it through the ZUS Electronic Services Platform (<http://pue.zus.pl/>) or refer directly to a local organisational unit of ZUS.

2. Additional information concerning pension insurance

2.1. What is the so called second pillar and how to join it?

As mentioned before, in Poland, pension contributions are obligatorily paid to the Social Insurance Institution (ZUS) and to one of the Open Pension Funds (OFE). Insurance in OFE is the so called second pillar. **2.8%**³ of the contribution assessment basis is paid to individual accounts in OFE. At present, fourteen³ universal pension fund companies managing Open Pension Funds operate on the Polish market.

³ As at 30 September 2013.

The funds collect money and deposit them with an intention to pay them out to fund members after they reach the retirement age. OFEs also pay⁴ temporary capital pensions to persons entitled to receive pension from the Social Insurance Fund.

2.2. Who is obliged to choose the second pillar?

Every working person is entitled to choose one Open Pension Fund. In practice, a person who wants to join a fund goes to a given insurance company and signs an agreement. Most insurance companies offer more convenient ways of joining funds: one can do it by means of online forms or at an individual meeting with a representative (agent) of a given insurance company (agents often visit persons interested in joining their funds at home). Agents' contact information can be found on websites of Open Pension Funds. When signing an agreement with an OFE, you should have your ID card and PESEL number with you. Depending on the time of starting work, one should choose a pension fund until 10 January or 10 July of a given year. If the insured does not fulfil its obligation to conclude an agreement on these dates, ZUS selects a pension fund by means of a draw. ZUS's draw for Open Pension Funds takes place twice a year – on 31 July and 31 January. The draw covers only those pension funds whose market share does not exceed 10% and whose return rates have been higher than the weighted average return rate of all funds in two last settlement periods. Pension funds earning superior profits are therefore excluded from the draw. The draw applies to persons who started work. One can find ratings online. It is worth knowing that it is possible to change the insurer and transfer one's contributions from one fund to another. The fund is obliged (at least once a year and

⁴ As at 30 September 2013.

at the member's request) to inform its member in writing of the amount of funds collected on their account.

2.3. What is the so called third pillar?

Third pillar is a voluntary form of saving for the future. There are two forms of such money saving: Individual Retirement Account (IRA) and Employee Pension Schemes (EPS). In order to start saving money on an Individual Retirement Account, one should sign a relevant agreement with an investment fund or a brokerage office, an insurance company or a bank. Contributions to an IRA can be made by a natural person who is 16 years of age or older. Only one saver can collect funds on an IRA. In an IRA agreement, one can indicate one or more persons to whom the funds collected on a given IRA will be paid out in the event of death of the person who opened the IRA. The person inheriting the funds may be changed anytime. If no such persons are indicated, the funds are inherited by the family. Payment of funds collected on an IRA is made at the saver's request (provided that the terms specified in the agreement are met) or, in the event of the saver's death, at the request of an entitled person.

Contributions to an IRA in one calendar year cannot exceed the amount equal to three average forecasted monthly salaries in the national economy for a given year. The saver is entitled to tax exemption.

Employee Pension Schemes are a form of an organized collective saving for future pensions. They are established voluntarily by an employer. The schemes may have one of the following forms:

- ➔ Employee pension scheme,
- ➔ An agreement on payment of employees' premiums to an investment fund,
- ➔ A collective life insurance agreement with an insurance company in form of a collective life insurance agreement with a capital fund,
- ➔ Foreign management.

An employee joins the scheme under terms specified in the workforce agreement, on the basis of a written declaration on joining the scheme.

3. Health insurance

There is public health care in Poland available for all people insured in the National Health Fund (NFZ). If you legally work in Poland, you are subject to mandatory health insurance and this is the insurance in NFZ. Your employer deducts from your salary and pays health insurance contributions.

3.1. Can you get voluntary insurance in NFZ?

If you work in Poland legally, you are subject to mandatory health insurance. Your insurance also covers members of your immediate family – a spouse, children as well as parents, grandparents (if they stay with you in one household). If you are not covered by this insurance and do live in Poland, you can get voluntary insurance in the National Health Fund (NFZ). In order to do that, you need to submit a request for insurance coverage. If you have not been insured before, there may be an additional fee to be paid for getting voluntary health insurance. Its amount depends on the time during which you were not insured: PLN 750 to approximately PLN 7,500 (if you were not insured for more than 10 years).

Such opportunity is open for example for people who come to Poland for an internship, studies, language courses, clergymen etc. You will be covered by health insurance as of the date specified in the agreement concluded with the Fund. You lose the coverage on the day of termination of the agreement or upon discontinuing to paying contributions. You are not exempted from the obligation to pay outstanding amounts.

IMPORTANT!

You must register your family members in the Fund by submitting a ZUS ZCNA form.



A contribution for each calendar month is due until the 15th day of the following month for the preceding month (e.g. until 15 August for July). Voluntary health insurance contributions are to be paid to the account of ZUS (ZUS account number ending with 52).

3.2. What is the amount of health insurance contribution?

The contribution assessment basis is the amount of declared monthly income, however not lower than the amount of an average salary. Health insurance contribution from 2007 amounts to **9%** of the contribution assessment basis. The contribution is paid monthly and indivisible.

3.3. What health contributions are you entitled to?

If you are insured in the National Health Fund, you are entitled to receive certain health care benefits. It is the so called benefit basket.

The basket contains i.a.:

- ➔ Diagnostic examination, including medical laboratory diagnostics,
- ➔ Services aimed at maintaining health, preventing diseases and early disease detection, including mandatory preventive vaccination,
- ➔ Basic health care,
- ➔ Services in the learning and educational environment,
- ➔ Specialist outpatient services,
- ➔ Medical rehabilitation,
- ➔ Dental services,
- ➔ Hospital treatment,
- ➔ Highly specialised services,
- ➔ Patient treatment at home,
- ➔ Psychological evaluation and therapy,
- ➔ Logopedic evaluation and therapy,
- ➔ Nursing and care services,

- ➔ Palliative and hospice care,
- ➔ Nursing and caring for the disabled,
- ➔ Caring for a woman during pregnancy, childbirth and post-natal period,
- ➔ Caring for a women during breast-feeding,
- ➔ Pre-natal care for a foetus and care for a newborn as well as preliminary assessment of the health condition and development of a baby,
- ➔ Care for a healthy child, including assessment of a health condition and development of a child at the age of up to 18 years,
- ➔ Health resort treatment,
- ➔ Supply of medicinal products, medical devices and aids,
- ➔ Sanitary transport,
- ➔ Medical rescue services.



NOTE!

The content of the benefit basket changes from time to time.

3.4. Can you choose a health care institution and a doctor within the framework of NFZ?

Yes. You have the right to choose a health care institution, which you want to be a patient of, from health care facilities operating under a contract from NFZ. When you become a patient of a given clinic, you must choose: a general practitioner, a nurse and a midwife. You can make a change within that scope but not more often than twice in a calendar year. There is a fee in the amount of PLN 80 for each subsequent change. This does not apply to a change of a place of residence and discontinuance of providing health care services by a primary care doctor, a nurse and a midwife of your choice as well as other situations beyond the insured's control.

3.5. Do you need to have documents confirming a right to health care services when you go to a doctor?

No. The PESEL number confirms your right to free benefits. When you go to a doctor, you need to bring: an identity card or a passport or a driver's licence. Since 1 January 2013, there has been a system of Electronic Verification of Eligibility of Beneficiaries (eWUŚ). It is a system of electronic verification of patients' eligibility to health care benefits funded by NFZ. Everyone can confirm their right to benefits – in a hospital, a clinic or a doctor's office – without the necessity to present additional documents. It is enough to present a PESEL number and a document confirming identity.

If at the registration desk you receive information that there is no information in the eWUŚ system that you are insured but you are insured, you can confirm it by e.g.:

- ➔ Certification from a work place,
- ➔ Card of a recipient of a pension,
- ➔ Valid registration for health insurance.

If you do not have any such document with you, you can make a representation on the right to benefits which must contain:

- ➔ Your first and last name,
- ➔ Place of residence,
- ➔ Legal basis of benefits (e.g. concluded employment agreement, pension, PESEL number),
- ➔ Type of a document with which you confirmed your identity at a doctor's office⁵.

5 A brochure available on the website http://www.nfz.gov.pl/new/art/5117/ulotka_inf_11_16.pdf (as at 27 September 2013).

3.6. Do you need a referral to medical specialists and for examinations?

Yes. In order to get an appointment with some medical specialists, it is required to obtain a referral from a treating physician, i.e. from a general practitioner. Services within the scope of diagnostic examinations, including medical laboratory diagnostics (qualified as guaranteed benefits), are performed based on a referral to a doctor.

A referral is not required for services of i.a.:

- Gynaecologist and obstetrician,
- Dentist,
- Dermatologist,
- Venereologist,
- Oncologist,
- Ophthalmologist,
- Psychiatrist,
- For people with tuberculosis, HIV; for civil blind victims of military operations; for people addicted to alcohol, narcotic drugs and psychotropic substances – drug rehabilitation treatment.

3.7. Hospital treatment

You have the right to treatment in a hospital, which entered into an agreement on health care benefits, based on a referral to a primary care doctor, medical specialist, including also a private doctor if the purpose of treatment cannot be achieved by out-patient treatment. You can choose a hospital in which you want to be treated. If you are insured and hold a referral, the treatment is free of charge. In emergencies, hospitals provide help without a required referral. In order to obtain treatment, you can go to an emergency room.

3.8. Health care outside the public system

In Poland, there is the possibility to obtain private health care – then you pay for each individual service. Private health care is common in Poland. Such services are provided by individual doctors in their offices (their contact details are available in phone books or on the Internet) as well as special medical facilities. It is worth mentioning that some facilities offer services covered by insurance in NFZ and commercial (paid) services. When you use medical help in such a facility, you need to mention whether you wish to receive paid help or help covered by insurance in NFZ. You can also purchase service packages in private medical institutions that provide services for individual and corporate customers. Packages differ by price and scope of services covered. Larger work places often offer their employees social benefits in form of additional insurance in the private health care system.

4. Other insurance

4.1. What other insurance is mandatory?

Above all, third party liability insurance of motor vehicle owners (e.g. cars, motorcycles) is mandatory.

4.2. What is motor third party liability insurance?

Motor third party liability insurance must be purchased by each owner of a motor vehicle (e.g. car, motorcycle). This insurance covers possible damages which arise in relation to the operation of such a vehicle. Motor third party liability insurance of motor vehicle owners covers third party liability of each person who caused damage in relation to the operation of this vehicle when driving it during the period of insurance liability. Motor third party liability insurance of motor vehicle owners covers incidents that occur in Poland. It can also cover incidents that occur on the territory of other countries on the basis of reciprocity.

4.3. Where and for what period do you enter into a motor third party liability insurance agreement?

Vehicle insurance is offered by most large insurance companies. In order to sign an insurance agreement, you need to go to one of the companies or make an appointment with a representative (insurance agent).

The agreement is entered into for the period of 12 months or a period shorter than 12 months if the motor vehicle is:

- ➔ Permanently registered,
- ➔ Temporarily registered.
- ➔ Registered abroad,
- ➔ Slow moving vehicle,
- ➔ Historic vehicle.

Responsibility of an insurance institution begins upon the conclusion of the agreement and payment of an insurance contribution or its first instalment. Motor third party liability insurance is prolonged automatically. In order to relinquish motor third party liability insurance, you need to terminate the agreement in writing not later than one day before the lapse of 12 months for which the motor third party liability insurance agreement was entered into. If a person does not notify an insurance company about the termination of the agreement, it is considered that another agreement is entered into for further 12 months. You need to pay insurance contribution for another year then.

4.4. What is motor hull insurance?

Motor hull insurance is voluntary insurance intended for owners of motor vehicles. It covers insurance of a vehicle and its parts against damage, breakage and theft. The insurance coverage is determined individually by insurance companies.

4.5. What is personal accident insurance?

Personal accident insurance is voluntary insurance intended i.a. for owners of motor vehicles. It includes a driver and passengers. The personal accident insurance covers consequences of accidents – injuries, permanent health damage or death of the insured. Insurance companies also offer other insurance relating to personal accidents, e.g. insurance for camp participants, insurance for travelling abroad.

4.6. House or apartment insurance

Insurance of an apartment, a house and property located there is voluntary. The scope of insurance offered by individual insurance companies is varied. You can take up insurance e.g. against theft, fire, flood or other chance events. A person who wishes to insure their house, apartment, property may choose the best suitable offer for themselves.



NOTE!

It is worth knowing that large insurance companies offer a wide range of insurance – you can enter into most of agreements within that scope with a single agent.



ANNEX

Institutions and organisations providing assistance to foreigners

Office of the Ombudsman for Children Biuro Rzecznika Praw Dziecka

ul. Przemysłowa 30/32

00-450 Warszawa

→ tel. 22 583 66 00

e-mail: rpd@brpd.gov.pl

Office of the Polish Ombudman Biuro Rzecznika Praw Obywatelskich

al. Solidarności 77

00-090 Warszawa

→ tel. 22 55 17 700

e-mail: rzecznik@rpo.gov.pl

Caritas

ul. Skwer kard. Stefana Wyszyńskiego 9

01-015 Warszawa



tel. 22 334 85 00

e-mail: caritas@caritas.pl

African Culture Centre Motema Africa

Centrum Kultury Afrykańskiej Motema Africa

ul. Dzika 6 m. 256

00-172 Warszawa



tel.: 511 260 745 or 0033 770 684 314

e-mail: afrikana2006@yahoo.fr

Halina Nieć Legal Aid Centre Centrum Pomocy Prawnej im. H. Nieć

ul. Krowoderska 11/7

31-141 Kraków



www.pomocprawna.org



tel. 12 633 72 23

fax 12 423 32 77

e-mail: biuro@pomocprawna.org

Foundation "Africa Another Way" Fundacja Afryka Inaczej



tel. 883 348 287

fax 22 203 51 58

Foundation: Rule of Law Institute Fundacja Instytut na rzecz Państwa Prawa

ul. F. Chopina 14/70

20-023 Lublin



www.fipp.org.pl



tel. 81 743 68 05


e-mail: fundacja@fipp.org.pl

Foundation "Ocalenie" Fundacja „Ocalenie”
ul. Koszykowa 24 room 1 (1st floor)
00-553 Warszawa
 www.ocalenie.org.pl
 tel. 22 828 04 64
fax 22 828 50 54
e-mail: fundacja@fundacjaocalenie.org.pl

KZKO Armenian Foundation Fundacja Ormiańska KZKO
ul. Broniewskiego 54/83
01-716 Warszawa
 www.fundacjaormianska.pl
 tel. 696 586 108
e-mail: marta@fundacjaormianska.pl,
sekretariat@fundacjaormianska.pl

Helsinki Foundation for Human Rights Helsińska Fundacja Praw Człowieka
ul. Zgoda 11
00-018 Warszawa
 www.hfhr.pl, programy.hfhr.pl/uchodzczy
 tel. 22 556 44 66
e-mail: refugees@hfhr.org.pl

International Organization for Migration
IOM Międzynarodowa Organizacja ds. Migracji
ul. Mariensztat 8
00-302 Warszawa
 www.iom.pl
 tel. 22 538 91 69
e-mail: iomwarsaw@iom.int

Fu Shenfu Migrant Centre Ośrodek Migranta Fu Shenfu
ul. Ostrobramska 98
04-118 Warszawa
 tel. 22 610 02 52
e-mail: osrodek@migrant.pl

Polish Humanitarian Action Polska Akcja Humanitarna

ul. Szpitalna 5 lok. 3

00-031 Warszawa

→ tel. 22 828 88 82

e-mail: pah@pah.org.p

Polish Red Cross Polski Czerwony Krzyż

ul. Mokotowska 14

00-561 Warszawa

→ www.pck.org.pl

Telephone service centre: 22 326 12 00

→ tel. 22 326 12 00

Secretary's Office: info@pck.org.pl, zarzad.glowny@pck.org.pl,
head.office@pck.org.pl

→ tel. 22 326 12 86

fax 22 628 41 68

Polish Migration Forum Polskie Forum Migracyjne

ul. Orła Białego 44 a

05-080 Izabelin

→ tel. 605 888 753

e-mail: info@forummigracyjne.org

Polish and Sudanese Association for the Cooperation and Friendship "Nil-Vistula"

Polsko-Sudańskie Stowarzyszenie na rzecz Współpracy i Przyjaźni Nil-Wisła

ul. Zwycięzców 19

03-936 Warszawa

e-mail: nil-wisla@o2.pl

Association for Legal Intervention Stowarzyszenie Interwencji Prawnej

ul. Siedmiogrodzka 5

01-204 Warszawa

→ tel. 22 621 51 65

e-mail: interwencja@interwencjaprawna.pl

Socio-Cultural Association of the Vietnamese People in Poland


Towarzystwo Społeczno-Kulturalne Wietnamczyków w Polsce
ul. Marszałkowska 45
00-648 Warszawa

Jagiellonian University Legal Clinic

Human Rights Section

Uniwersytecka Poradnia Prawna Uniwersytetu Jagiellońskiego
Sekcja Praw Człowieka

al. Zygmunta Krasińskiego 18
30-101 Kraków

 tel. 12 430 19 97


 www.law.uj.edu.pl/poradnia

Foundation for Development Beyond Borders

Fundacja Rozwoju Oprócz Granic (Frog)

ul. Mazowiecka 12 lok. 24 (1 piętro)
00-048 Warszawa

 www.frog.org.pl


 tel.: 22 403 78 72, 517 459 418

e-mail: biuro@frog.org.pl

Association for Free Speech Stowarzyszenie Wolnego Słowa

ul. Marszałkowska 7
00-626 Warszawa

 www.sws.org.pl

 tel., fax 22 405 66 30

e-mail: sws@sws.org.pl

References

Most important legal acts:

- Act of 26 July 1991 on Personal Income Tax
- Act of 27 August 2004 on the Health Care Services Financed from Public Funds
- Act of 13 October 1998 on the Social Insurance System

Websites used to create this publication:

- Ministry of Finance: www.mf.gov.pl
- www.pit.pl
- Social Insurance Institution: www.zus.pl
- National Health Fund: www.nfz.gov.pl

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The Helsinki Foundation for Human Rights was established in 1989 by members of the Helsinki Committee, who had been operating underground in Poland. Today, it is one of the largest non-governmental organisations protecting human rights in Poland. The Foundation's activities include: monitoring and research concerning complying with human rights, strategic litigation, education in Poland and abroad within the scope of human rights as well as legal assistance provided to citizens of Poland and foreigners. The Foundation collaborates with international human rights institutions and since 2007, we have been in consultative status with the United Nations Economic and Social Council (ECOSOC).

The Legal Assistance for Refugees and Migrants Programme was launched in 1992. Its fundamental activities include free of charge legal advice for foreigners contacting the Foundation as well as performing interventions and litigation activities. The scope of activities under the Programme also include monitoring that foreigners' rights are observed, drawing up opinions with regard to drafts of legislative acts that concern migration as well as providing information and education in relation to foreigners' rights.

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