



FOREIGN FOUNDATIONS IN POLAND

How to establish and manage
a branch of a foreign
foundation in Poland

Meeting objectives

After the
meeting
you
should
be able
to:

Know the basic legal acts governing the establishment of the branches of the foreign foundations in Poland.

Correctly identify entities registering branches of foreign foundations in Poland.

Know what applications, attachments and fees should be submitted in the registration proceedings.

Assess how long the registration takes.

PRIMARY LEGISLATION

International and Polish law

Primary legislation

- The Convention of the 5th of October 1961, Abolishing the Requirement of Legalisation for Foreign Public Documents
- Act of April 6th, 1984, on foundations
- Act of September 15th, 2017, on the National Institute of Freedom - Center for Civil Society Development
- Act of November 16th, 2006, on stamp duty.
- Act of June 14, 1960th, Code of administrative procedure.
- Order No. 5 of the Director General Of The Foreign Service of March 5th, 2010, on the rules and procedure for carrying out activities in the Ministry of Foreign Affairs with the supervision of foundations and representative offices of foreign foundations

REGISTRATION AND SUPERVISION ENTITIES

Registration and supervision entities

I. Registration:

1. Ministry of Health
2. Ministry of Interior and Administration

II. Supervision

1. Ministry of Foreign Affairs

Registration and supervision entities

Ministry of Health

Is capable of carrying out the registration of foundations, providing medical assistance or dealing with preventive care

Ministry of Interior and Administration

Is capable of carrying out the registration of other foundations.

Ministry of Foreign Affairs

Is capable of supervising foreign foundations in Poland.



APPLICATION, ATTACHMENTS, FEES

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The Polish Law on Foundations allows the establishment in the territory of the Republic of Poland in representative offices, and of foundations having their seat abroad (Art.19) based on a permit issued by the appropriate minister.

APPLICATION, ATTACHMENTS, FEES

Anyone who
operates a
foreign
foundation
must ensure
that the
representative
office of his
foundation will
serve socially
or
economically
useful
purposes
consistent
with the
fundamental
interests of
Poland, in
particular:

health protection,

development of the economy and
science,

education and upbringing,

culture and art,

care and social welfare,

environmental protection and care of
historical monuments.

APPLICATION, ATTACHMENTS, FEES

Note:

The Ministry of Health issues permits only to foundations that wish to operate in the health sphere.

APPLICATION, ATTACHMENTS, FEES

The application is made on paper (it is not possible to apply online).

You must indicate the entity that you wish to register in Poland

operational address in Poland

persons to represent

field of activity

objectives and methods of their implementation

Persons representing the entity

APPLICATION, ATTACHMENTS, FEES

Attachments

1. a statement of the competent authority of the foreign foundation on its intention to establish a representative office in Poland. Specify in it the goals that will be implemented by the representative office, it must be translated into Polish by a sworn translator,
2. certified statute of the foreign foundation and its sworn translation into Polish,
3. certificate (excerpt) from the register of the foreign foundation and its sworn translation into Polish (if the foreign foundation is subject to registration),
4. statement on the selection of a person authorized to act for, and on behalf of, the representative office in Poland,
5. confirmation of payment of PLN 855

APPLICATION, ATTACHMENTS, FEES

Note:

The statute of the foreign foundation and the certificate (extract) from the register of the foreign foundation should be certified by "apostille".

TIMELINE

The background of the slide features a close-up, shallow depth-of-field photograph of several colorful pushpins (blue, yellow, white, and red) pinned to a light-colored surface. The pushpins are arranged in a way that suggests a timeline or a sequence of events. A diagonal grey band runs from the top left towards the bottom right, partially obscuring the pushpins and the text.

Timeline

The application is processed for up to 30 days after the submission of the documents.

If the case is particularly complicated - the procedure can take up to 2 months.

The procedure will end when you receive a letter with a decision on granting or refusing to open a representation.

Appeal against a negative decision must be made within 14 days.

Thank you
for your attention

Contact

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