THE LAW OF 6 JULY 1982 ON PRINCIPLES OF CONDUCTING ECONOMIC ACTIVITY IN SMALL-SCALE INDUSTRY BY FOREIGN JURIDICAL AND NATURAL PERSONS WITHIN THE TERRITORY OF THE POLISH PEOPLE’S REPUBLIC*

Dziennik Ustaw, No.19, 16 July 1982, item 146; as amended on 29 July 1983 in a Regulation of the Minister of Finance, Dziennik Ustaw, No.42, 30 July 1983, item 192.

With an aim to increasing production of goods and services for the domestic market and for export with the participation of foreign juridical and natural persons, and especially those from foreign Polonia, it is ruled as follows:

Chapter I. General Provisions

Article 1.
1. Juridical and natural persons permanently domiciled abroad and foreign citizens possessing a permanent residence permit in Poland, hereinafter called “foreign economic units”, may undertake economic activity within the territory of the Polish People’s Republic, hereinafter called “economic activity”.
2. Foreign economic units may conduct economic activity on their own behalf and account and may also become partners in a company with participation of Polish economic units.
3. Foreign economic units conducting economic activity may become members of the Polish-Polonian Chamber of Industry and Commerce.

Article 2.
On the basis of regulations contained in the present Law, the economic activity in the sphere of small-scale industry may consist of:
1) production of goods or granting of services;
2) trade;
3) export of their own products or services or import for their own use in production or service activity.

Article 3.
1. The economic cooperation with foreign economic units which conduct economic activity in small-scale industry is coordinated by the Government Officer for Foreign Small-Scale Industrial Enterprises, hereinafter called “the Officer”.
2. The Officer is nominated and recalled by the Prime Minister.

Article 4.
1. The responsibilities of the Officer include in particular:
   1) the inspiration and organization of activities aimed at developing economic cooperation with foreign economic units, and primarily with Polonian units,
   2) the initiation and creation of conditions favorable for establishing enterprises within the territory of the Polish People’s Republic,
   3) the definition of preferred directions of development of production of goods and services.
2. The Prime Minister defines the detailed scope of activities of the Officer.

Article 5.
Whenever the Law mentions:
1) Polish economic units, it is understood to mean:

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a) small state industrial enterprises;
b) social organizations entitled to conduct economic activity on the grounds of other regulations;
c) cooperatives;
d) associations of producers and domestic enterprises which are active in small industry;
e) persons entitled to conduct handicrafts or other economic activity on the grounds of other regulations;
f) private persons undertaking economic activity jointly with foreign economic units;
2) a foreign enterprise, it is understood to mean an enterprise active within the territory of the Polish People's Republic on the basis of the present Law and belonging solely to a foreign economic unit;
3) a company with foreign participation, it is understood to mean an enterprise in the form of a joint company whose participants are foreign and Polish economic units;
4) an enterprise, it is understood to mean a foreign enterprise or an enterprise with foreign participation;
5) an owner of an enterprise, it is understood to mean the inclusion of persons (subjects) whose rights to the enterprise result from reasons other than ownership.

Article 6.
1. A Polish citizen permanently domiciled in Poland may contribute his share to an enterprise with foreign participation in the form of his own fixed assets, liquid assets or patents and licences.
2. A Polish citizen permanently domiciled in Poland may obtain, on conditions laid down in foreign currency regulations, a permit to contribute to an enterprise with foreign participation in the form of his own foreign currency means. The contribution and the profit resulting from it may be utilized in accordance with foreign currency regulations.

Chapter II. Issuing of Permits

Article 7.
1. The conducting of economic activity described under Article 4 requires a permit.
2. The competent authority for issuing permits mentioned under subsection 1, with the exception of circumstances discussed under subsection 3, are the voivodship authorities within whose territory the enterprise will be, is or was established.
3. Permits for the economic activity mentioned in Article 2, subsection 3 are issued by the Minister of Foreign Trade.

Article 8.
1. A foreign economic unit intending to undertake economic activity on the territory of the Polish People's Republic is obliged to nominate a representative to represent it before the Polish administrative authorities and in legal relations with Polish economic units. Any Polish citizen or authorized Polish juridical person permanently domiciled or situated in Poland may become a representative.
2. The nomination of a representative is not required when the foreign economic unit is permanently domiciled or situated within the territory of the Polish People's Republic or when the foreign economic unit is a juridical person which has a representative office within the territory of the Polish People's Republic.