

Legal Alert

www.skslegal.pl

The annual report on payment deadlines

31 January 2021 is the deadline for submission of the annual report on payment deadlines for 2020. Please find below the key information regarding the report.

Legal basis

The Act of 8 March 2013 on preventing excessive delays in commercial transactions imposes on large entrepreneurs the requirement to submit a report on payment deadlines in the given year.

Who is obliged to submit the report

The report should be submitted by the managers of:

- tax capital groups - irrespective of the revenue earned;
- taxable persons other than tax capital groups - in the case where the value of the revenue earned in the previous fiscal year exceeded the equivalent of EUR 50 million;
- real estate companies, including the real estate companies which are a part of a tax capital group.

When it comes to the tax capital groups the report should be submitted by the manager of each company constituting that tax capital group.

Deadline for the report submission

The report should be submitted by 31 January of each following year.

The report for 2020 should be submitted till 31 January 2021.

Please note that the real estate companies are obliged to submit the first report for 2021 till 31 January 2022.

Method of report submission

The report should be submitted electronically, on the form available on the following website: biznes.gov.pl - [electronic form](#).

Data covered by the report

The following data should be provided in the report:

- company name and the Taxpayer Identification Number
- the value of cash benefits received in the previous calendar year within:
 - a) less than 30 days
 - b) from 31 to 60 days
 - c) from 61 to 120 days
 - d) exceeding 120 days
 - of the date the invoice or the bill confirming the delivery of goods or the performance of the service was issued
- the value of cash benefits provided in the previous calendar year within:
 - a) less than 30 days
 - b) from 31 to 60 days
 - c) from 61 to 120 days
 - d) exceeding 120 days
 - of the date the invoice or the bill confirming the delivery of goods or the performance of the service was issued
- the value of cash benefits not received in the previous calendar year by the date specified in the contract and the percentage share of these cash benefits in the total value of the cash benefits due to this entity in that year
- the value of the cash benefits unfulfilled in the previous calendar year by the deadline specified in the contract and the percentage share of these benefits in the total value of cash benefits to be paid by this entity in that year

Consequences of non-submission of the report

In case of non-submission of the report on time, a fine will be imposed on the managers of the company.

Proceedings pertaining to excessive delays in cash payments

The data provided in the report will be later used to identify the companies which qualify for initiating by the President of the Office of Competition and Consumer Protection (UOKiK) the proceedings pertaining to excessive delays in cash payments.

In case the excessive payment delays are determined in the course of the proceedings, the President of the Office shall impose a fine on the company by way of an administrative decision.



Should you have any further questions regarding the report do not hesitate to contact us.

Zbyszko Wizner

Senior Partner, attorney-at-law

☎ +48 608 420 801

✉ zbyszko.wizner@skslegal.pl



Krzysztof Kanton

Partner, attorney-at-law

☎ +48 600 042 234

✉ krzysztof.kanton@skslegal.pl

