

Information on Poland national BOR

The information below has been provided by the countries participating in BORIS in relation to the following questions:

Question 1: What does your national central beneficial ownership register(s) offer?

Centralny Rejestr Beneficjentów Rzeczywistych / Central Register of Beneficial Owners is operated and managed by the Polish Ministry of Finance. It collects and provides information about beneficial owners of the following entities:

- registered partnerships
- limited partnerships
- limited joint-stock partnerships
- limited liability companies
- simple joint-stock companies
- joint-stock companies (excluding public companies)
- professional partnerships
- European Economic Interest Groupings
- Societas Europaea
- Cooperatives
- European cooperatives
- associations requiring an entry in the National Court Register
- foundations
- trusts or similar legal arrangements whose trustees or persons holding equivalent positions:
 - are established or reside in the territory of the Republic of Poland, or
 - establish business relationships or acquire real estate in the territory of the Republic of Poland on behalf of or to the benefit of a trust

For each entity data set consists of:

- basic information about entity
 - for corporate and other legal entities:
name, organizational form (legal character), address details, National Court Register number (KRS number), tax identification number (NIP) if assigned;
 - for trusts and similar legal arrangements:
name or other data enabling identification, organizational form (legal character), address of the place of residence or the registered office of the trustee or of a person holding an equivalent position), the name of the relevant register with the number if the trust has been entered into any register, tax identification number (NIP) if assigned
- identification data of the beneficial owner (for each BO):
 - name and surname

- citizenship(s)
- state of residence
- national individual identification number PESEL or – in the case of person not holding PESEL number – date of birth
- information on the level and character of the share and/or on other powers conferred on the beneficial owner (or information characterizing the group of persons in whose main interest the trust has been established or operates, where applicable)
- identification data of the person submitting the data to CRBO (lawfully authorized to represent the entity)
 - name and surname
 - citizenship
 - state of residence
 - national individual identification number PESEL or – in the case of person not holding PESEL number – date of birth
 - information about function authorizing this person to submit data to CRBO

Both current and historical data are available for searches.

It is possible to submit information about recorded discrepancies between the information collected in the CRBO and the information regarding beneficial owners the submitter possesses (with explanation and justification of recorded discrepancies).

Question 2: Is registration and/or authentication and/or authorization required to search in your national central beneficial ownership register(s)?

Data submitted to the CRBO are publicly accessible. No registration/authentication/authorization is required to search in CRBO.

Question 3: Is registration and/or authentication and/or authorization required to access beneficial ownership information in your national central beneficial ownership register(s)?

Data submitted to the CRBO are publicly accessible. No registration/authentication/authorization is required to access BO information.

Question 4: Is access to your national central beneficial ownership register(s) free of charge?

Yes, access to the CRBO is free of charge.

Question 5: How can you perform searches in your national central beneficial ownership register(s)?

You can search the CRBO using the following search terms:

- tax identification number (NIP), or
- national individual identification number PESEL of beneficial owner, or
- name, surname and date of birth of beneficial owner (applies only in the case of BO not holding PESEL number and because of this submitted with date of birth)
- it is anticipated to allow searches with the name of the entity in the future

Both current and historical data are available for searches.

Question 6: How do you ensure adequacy, accuracy and timeliness of the information held in the national central beneficial ownership register(s)?

The person submitting the data to CRBO must be lawfully authorized to represent the entity. Submitted data include declaration that the information reported to the register is correct - the representative is required to confirm that the data is correct. This declaration is submitted under penalty of criminal liability for making a false declaration.

Legislation enabling also to impose administrative penalties (up to 1 mln PLN) for non-registration, for failure to update information and for providing information that does not correspond to facts (subject of this financial penalty shall be corporate and other legal entity or the trustee/person holding an equivalent position in the case of trusts or similar legal arrangements).

Entities are required by law to insert BO information on the CRBO within one week of registration (or within one week of data change). Submitted data are presumed to be correct (Art. 68 of AML Act), however different verification processes take place by: undertaking a major sampling exercise and strong checks of the data selected, cross-referring data in CRBO with the data in the other registers maintained by public authorities and with commercial databases, verifying submitted information about recorded discrepancies. There is a number of reporting entities obligated by AML law (including banks and notaries) to record discrepancies between the information collected in the register and the information regarding the customer's beneficial owner it has determined. In addition different authorities analyze legal persons which have not provided information to the CRBO against databases available for them and feedback is provided to the CRBO. These analysis, cross-checks and subsequent notifications results in corrected submissions to the CRBR but also in financial penalties and legal persons being deleted from the VAT register and/or legal persons being removed from business register.

Besides basic information the CRBO web service contains guidance in the form of frequently asked questions providing information allowing better understanding of the role and rules related to BO information in the register and process of their submission.

Question 7: Since when is the national central beneficial ownership register(s) operational? Please also provide the link(s) to the national law(s) implementing the national central beneficial ownership register(s).

The CRBO is operational since October 13th, 2019.

At the first phase data from for corporate entities (different types of commercial companies) were collected.

Since October 31st, 2021 other legal entities (including associations, foundations, cooperatives) and trusts/similar legal arrangements are required to provide information about their beneficial owners to the CRBO.

Link(s) to the national law(s) implementing the CRBO:

in Polish: <https://www.gov.pl/web/finanse/akty-prawne-giif> (ustawa AML Rozdział 6)

in English: <https://www.gov.pl/web/finance/legislation-aml-ctf> (AML law Chapter 6)