



KPMG

Webinar for supervisors and managers of Polish sites

5 Feb 2025 at Warsaw

Kpmg.pl



Agenda of the meeting

- 01 Global Minimum Tax update
- 02 New reporting obligation: JPK_CIT
- 03 Real Estate Tax Amendment
- 04 Small update on CBAM
- 05 Small update on EURD

Global Minimum Tax (Pillar II)

What is the Global Minimum Tax (Pillar II)?

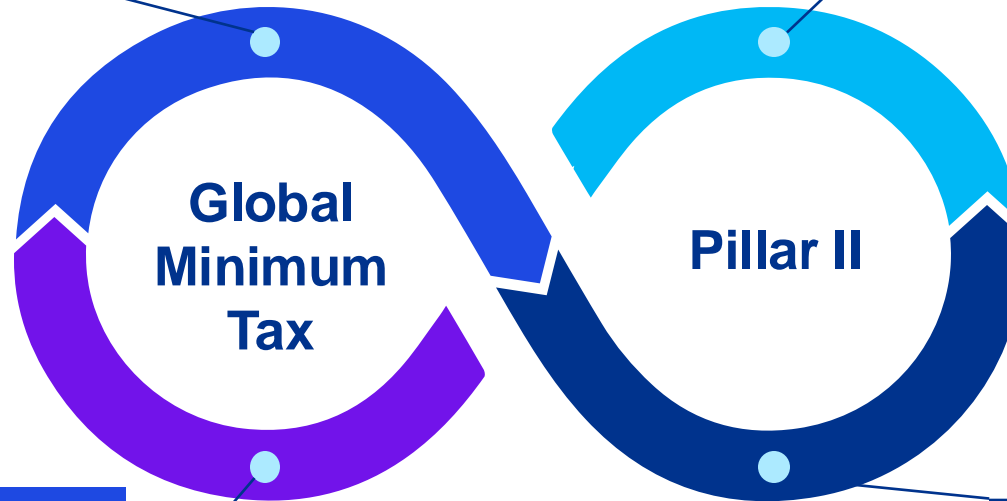
Obligation to pay top up tax based on effective tax rate (ETR) 15%.

How to calculate ETR?

Adjusted covered taxes



Qualified net income



Who does it concern?

Capital groups with total annual revenues of at least **EUR 750 million**.

Equalization tax system

- Global Equalization Tax (Income Inclusion Rule (IIR))
- Undertaxed Payment Rule (UTPR)
- Qualified Domestic Minimum Top-up tax (QDMTT)

Currently, the act implementing the solutions provided for in the BEPS 2.0 Directive into Polish tax law has been published in the Polish Journal of Laws and entered into force on 1 January 2025. The Polish Ministry of Finance announced that they are working on further amendments to this law. Currently, the Polish Government is working to develop solutions for R&D tax relief, SEZ exemption to limit the adverse impact of PILLAR 2 (e.g. direct cash refunds are considered).

JPK CIT

Key information

- The CIT Standard Audit File (JPK CIT) is another element of the digitalization of the Polish tax system.
- JPK CIT regulations impose on taxpayers of corporate income tax the obligation to keep accounting records using computer programs and to send them to the appropriate head of the tax office after the end of the tax year.
- These records must be submitted electronically in accordance with the logical structures (so-called schemes) specified by the Ministry of Finance.

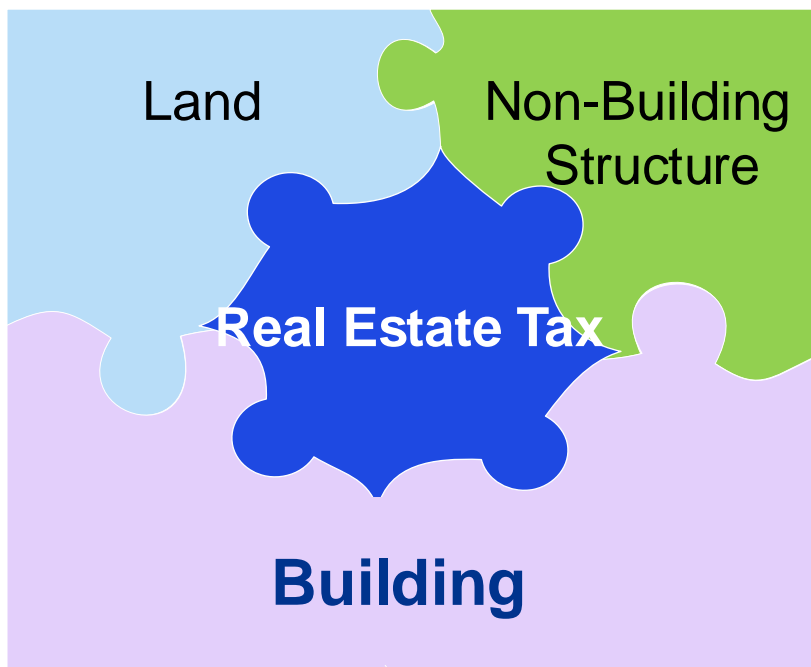
Taxpayers obliged to implement JPK CIT

- The JPK CIT reporting obligation came into force on 1 January 2025 and will first cover:
 - tax capital groups (so called „PGK”) and
 - CIT taxpayers whose revenue value in the previous tax year exceeded EUR 50 million.
- This obligation is to be gradually extended over the next two years to other groups of CIT taxpayers.

Important deadlines

- Taxpayers who will be first subject to the JPK CIT reporting obligation should submit relevant files to the relevant tax office head for the first time for the tax/financial year starting after December 31, 2024.
- If the tax/financial year ends before December 31, 2025, these files will have to be submitted to the relevant tax authority by the end of March 2026.

Real Estate Tax amendment (Major points)



New Definition of “Structure”

Annex no. 4 has been developed, containing a closed catalogue of facilities considered to be structures

- Foundations for machines and devices, technically separate from them
- Construction parts of technical devices
- Construction parts of construction devices
- Construction parts of certain power plants, etc.

<Example>

Road, entrance, exit from the road, parking bay, Bridge, overpass, Parking lot outside the building, parking area, storage area, dumpster area, driveway, canopy, Free-standing mast, Free-standing outdoor lighting

New Definition of “Building”

- constructed as part of building works,
- permanently attached to the ground,
- With foundations and a roof,
- separated from the surrounding space with building partitions,
- installed devices and systems allowing it to be used as to its' purpose.

- ✓ Review and correct the classification of your assets in accordance with the new definition.
- ✓ Optimize administration both for real estate tax and corporate income tax perspective.

Carbon Border Adjustment Mechanism (CBAM)

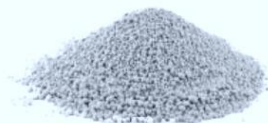
CBAM Goods



iron and steel



cement



fertilisers



aluminium



hydrogen production



electricity

Date	Key timeline
1 st Oct. 2023	Start of Transitional phase, i.e. quarterly reporting embedded CO2 and the CO2 price paid in the goods country of origin.
1 st Jan. 2025	Start of application for authorized CBAM declarant
1 st Jan. 2026	Start of definitive regime
31 st May 2027	The first CBAM declaration for Y2026
-2030	All EU-ETS sectors to be covered by CBAM
2034-	Abolishment of Free allowance in EU-ET

Update

Emission calculation method for reporting

- Embedded emissions in goods other than electricity shall be determined based on the actual emissions from Q3 2024.

Potential extension CBAM goods

- Downstream products
- Embedded indirect emissions
- Embedded emissions in the transport
- Other goods at risk of carbon leakage
- Other input materials (precursors)

EU Deforestation Regulation(EUDR)

Purposes

- To avoid deforestation and forest degradation in the EU and globally
- Reduce carbon emissions by at least 32 million metric tones a year

Commodities subject to EUDR

Commodities	Major products
Cattle	Beef and leather
Cocoa	Beans, shells, cocoa butter and chocolate
Coffee	Beans, husks
Rubber	Tyres, transmission belt, other rubber products
Soya	Beans flour, beans oil
Oil palm	Palm oil, nuts, seeds
Woods	Furniture, paper



Who

- Operator: Importers, exporters, first producers of the commodities in EU
- Trader: Intermediaries after an operator in supply chain of the commodities in EU

Due Diligence

- 1) Collection of information
- 2) Risk assessment
- 3) Risk mitigation measure

Penalty (inter alia)

Up to 4% of revenue in EU

Important dates

31 st Dec. 2020	"Deforestation Free" = produced in a land without deforestation and forest degradation after the date
29 th Jun. 2023	Enforcement of EUDR
30 th Dec. 2025	DD obligation for operators and large traders
30 th Jun. 2026	DD obligation for small and middle sized traders



Thank you for the meeting



Jarosław Nożewski

Senior Manager,
Corporate Income Tax

M: +48 604 919 899
E: jnozewski@kpmg.pl



野村 雅士

Masashi Nomura

ディレクター ジャパンデスク

M: +48 604 496 342
E: mnomura1@kpmg.pl



kpmg.pl

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