

# First ZUS premium vacations possible in December

As of 1 November 2024 traders will be able to submit applications for relief from social insurance premiums for one month of their choice. This will apply to sole traders and those with up to 10 employees. In 2024 the relief will only be available in December.

## I. First premium vacations for traders possible in December

In accordance with the new regulations, traders will be allowed to pay no social security premiums for themselves for one month out of the year. The relief will be available regardless of the form of taxation (PIT, lump sum, tax card). In 2024, because of the effective date of the new regulations, traders will be able to take advantage of the premium vacation only in December and applications for this relief will have to be submitted in November. Whereas in 2025 the vacation will be available for any one month. After applying, a trader can get relief from paying the following premiums: his or her own mandatory social insurance: retirement, disability and accident; his or her own voluntary sickness insurance; the Labor Fund and the Solidarity Fund. It should, however, be noted that health insurance premiums will still have to be paid during premium vacations. Premium vacations only cover social security premiums of the trader. The trader cannot be exempt from paying the premiums he/she pays for his/her employees, associates or contractors.

## II. Premium vacations for small businesses only

The relief may be used by those who conduct non-agricultural business activities and in the month preceding the application had a maximum of ten insureds (including the trader) enrolled in social or health insurance. The limit of 10 insureds includes the following: the applicant him/herself (trader), employees, contractors (excluding students up to the age of 26) and associates. The limit of insureds does not include those who are not subject to accident insurance, i.e. among others those who are collecting maternity benefits or are on parental or unpaid leave.

## III. Premium vacations available to partners in civil partnerships

Not only sole traders, but also partners in civil partnerships will be able to benefit from premium vacations. As individuals conducting business activities entered in the CEIDG, partners in civil partnerships are remitters of their own insurance premiums. A civil partnership is a remitter of premiums only if it has employees or contractors. This means that partners in a civil partnership should have their own individual remitter accounts rather than the partnership account. For this reason, partners in civil partnerships who are interested in taking advantage of the premium vacations but settle their premiums on the partnership's account should set up their own ZUS accounts. Interestingly, premium vacations will also be available to ZUS debtors, i.e. traders whose premiums are outstanding.



## IV. Traders must meet specific conditions

Additional conditions will also have to be met. Firstly, a trader will be able to take advantage of the premium vacation only if for at least one day in the month preceding the month of application he was subject to (either voluntary or mandatory) retirement, disability and accident insurance on account of conducting non-agricultural business activities. Secondly, in the last two years preceding the year of application, or in at least one of the last two years preceding that year, the trader's annual revenue from those activities did not exceed the PLN equivalent of 2 million euros. And thirdly, in the prior year and in the year of application (up until the application date) the trader performed no non-agricultural business activities as part of an employment or cooperative employment relationship with a former employer for whom he had performed the activities that are part of his/her current business activities in the year in which he commenced his business activities or the year before that.

## V. Premium vacations to be granted based on application submitted a month before

To take advantage of the premium vacations traders will need to submit form RWS (application for an exemption from the requirement to pay premiums for a specified month). The form can only be submitted from the remitter's profile on the (PUE)/eZUS Electronic Services Platform. The application may be submitted by the trader from his remitter profile, as well as by a representative (must also be done from the remitter's profile). Please note that a partner in a civil partnership must submit the application from his/her remitter profile on PUE/eZUS, and not from the profile of the partnership. Importantly, ZUS will consider only the applications received in the month preceding the month for which the trader wants to be exempt. An application submitted at any other time, e.g. two months earlier or in the month for which the exemption is to be applied, will not be considered.

## VI. Review and filing of applications only via eZUS account

Form RWS is an editable application that will download the identification details of the premium remitter and automatically fill in the period of exemption (month of application +1) and the FUS, FP/FS funds - with the option to uncheck. A portion of the application is a block of data that confirm that the trader meets the conditions for obtaining the exemption, including, among others, a statement on the use of de minimis public assistance or the amount of revenue earned. Both the filing of the application and all the related communications (e.g., a request to provide missing information) will take place through the ZUS (PUE) electronic services platform. It will not be possible to file applications in paper form. In addition, information about new messages regarding the application will be sent by ZUS to the e-mail address or telephone number provided in PUE/eZUS. If ZUS refuses to exempt a trader from paying premiums or grants a partial exemption, it will do so by issuing a relevant decision, which can be appealed.

## VII. Exemption only from premiums on minimum calculation base

The exemption will cover premiums determined on the lowest calculation base that applies to the trader. The premiums for the month for which the trader is exempt will be paid by the state. This means that if someone pays preferential premiums, his account will be replenished with an amount calculated on 30% of the minimum wage. Whereas when he/she is subject to full ZUS, it will be 60 percent of the forecast average monthly salary. In this context, ZUS draws special attention to traders whose preference ends in November 2024 and who intend to apply small ZUS+ or switch to full ZUS from December. In this case, they should as soon as possible inform the pension authority of their decision. Only then will ZUS know the calculation base on which to determine the exempt premium. If switching to small ZUS+, it is important to submit the insurance application on time and as soon as possible provide the ZUS DRA or ZUS RCA Part II, in which the remitter establishes the lowest premium calculation base applicable to him/her for the year.





## VIII. ZUS document must be filed despite being exempt

The following documents will have to be filed by the applicable deadlines for the month in which the trader benefits from premium vacations: ZUS RCA with the vacation code showing the social insurance premiums financed from the state budget; ZUS RCA with the current business activity code and health insurance and voluntary sickness insurance premiums, if the trader is not exempt from that premium; ZUS RCA for the remaining insureds, if the trader has employees or contractors; ZUS DRA showing the premiums from the RCA reports. During the exemption period, the trader should not declare the contributions he/she makes only for him/herself to the Labor Fund and the Solidarity Fund. Insurance title codes signifying an exemption from the obligation to pay premiums can be found in the Minister's of Family and Social Policy Decree defining the templates of social insurance enrollment forms (...) and other documents.



## IX. Premium relief must be included in public assistance limit

Relief from the payment of premiums constitutes de minimis aid. Where a trader wishes to take advantage of the premium vacation, he/she must have a de minimis aid limit equal to at least the sum of the social security premiums he/she is subject to in the calendar month, from which he wants to be exempt. In consequence, despite meeting the other conditions that qualify him/her for the premium vacation, a trader who has already used up the entire de minimis aid limit will not be able to use the vacation because of having used up that limit. In this context it should be remembered that on 6 August the Council of Ministers adopted a draft bill amending certain acts related to the granting of de minimis aid. Among others, the bill provides for changing the maximum value of de minimis aid a trader can use during a 3-year period. The limit of such aid would increase from EUR 200 thousand to EUR 300 thousand, and the amendment itself would go into effect as soon as this year (the day after its publication in the Journal of Laws).



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