

Template for Article SSC.59 declaration

Declaration by Poland pursuant to Article SSC.59(1) of the Protocol on Social Security Coordination to the Trade and Cooperation Agreement for the reference year ending 31 December 2021.

To be notified to the Specialised Committee on Social Security Coordination.

I. Declarations referred to in Article SSC.1 (q) of the Protocol on Social Security Coordination to the Trade and Cooperation Agreement and the date from which the Protocol will apply:

The date of application of the Protocol on Social Security Coordination to the listed national legislation, in so far as it is covered by the scope of the Protocol, is 1 January 2021, except where otherwise stated.

II. Legislation referred to in Article SSC.3(1) of the Protocol on Social Security Coordination to the Trade and Cooperation Agreement and the date from which the Protocol will apply.

1. Sickness benefits

(i) Benefits in kind

- Publicly Funded Healthcare Act of 27 August 2004 (consolidated text: Journal of Laws 2021, item 1285, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001285>

(ii) Benefits in cash

- Labour Code Act of 26 June 1974 (Journal of Laws 2020, item 1320, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200001320>
Article 92 [remuneration for the time when employees are unfit for work owing to illness]
- Social Insurance System Act of 13 October 1998 (Journal of Laws 2021, item 423, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000423>
[rules applicable to the sickness cash benefits paid by the Social Insurance Institution listed in this declaration]
In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.
- Act of 17 December 1998 on retirement and other pensions provided by the Social Insurance Fund (Journal of Laws 2021, item 291, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000291>

[rules applicable to the sickness cash benefits paid by the Social Insurance Institution listed in this declaration]

In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.

- Farmers' Social Insurance Act of 20 December 1990 (Journal of Laws 2021, item 266, as amended)

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000266>

Article 9(2), Article 14 and Article 15a [sickness allowance].

- Act of 25 June 1999 on social insurance cash benefits in the event of sickness or maternity (Journal of Laws 2021, item 1133, as amended)

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001133>

Chapter 2 Sickness benefit [sickness benefit]

Chapter 3 Rehabilitation benefit [rehabilitation benefit]

Chapter 4 Compensatory benefit [compensatory benefit]

Chapter 7 Care allowance [care allowance]

In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act [Chapter 2 Sickness benefit [sickness benefit]]

2. Maternity and equivalent paternity benefits

(i) Benefits in kind

- Publicly Funded Healthcare Act of 27 August 2004 (consolidated text: Journal of Laws 2021, item 1285, as amended)

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001285>

(ii) Benefits in cash

- Labour Code Act of 26 June 1974 (Journal of Laws 2020, item 1320, as amended)

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200001320>

Part VIII Employees' parenthood rights [maternity benefit]

- Social Insurance System Act of 13 October 1998 (Journal of Laws 2021, item 423, as amended)

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000423>

[rules applicable to the maternity and equivalent paternity cash benefits paid by the Social Insurance Institution listed in this declaration]

In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.

- Farmers' Social Insurance Act of 20 December 1990 (Journal of Laws 2021, item 266, as amended)

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000266>

Article 18(7) and Articles 35a and 35b [maternity benefit]

- Act of 25 June 1999 on social insurance cash benefits in the event of

sickness or maternity (Journal of Laws 2021, item 1133, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001133>

Chapter 6 Maternity benefit [maternity benefit]

In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.

3. Invalidity benefits

(i) Benefits in kind

- Publicly Funded Healthcare Act of 27 August 2004 (consolidated text: Journal of Laws 2021, item 1285, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001285>

(ii) Benefits in cash

- Social Insurance System Act of 13 October 1998 (Journal of Laws 2021, item 423, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000423>
- Act of 17 December 1998 on retirement and other pensions provided by the Social Insurance Fund (Journal of Laws 2021, item 291, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000291>
Part III Chapter 1 Pension for incapacity for work [pensions for incapacity for work and training allowances]
Part IV Supplements to retirement pensions and other pensions, Article 75 [attendance allowance]
In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.
- Farmers' Social Insurance Act of 20 December 1990 (Journal of Laws 2021, item 266, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000266>
[pension for farmers incapacitated for work, together with supplements]
- Act of 9 January 2020 on the additional annual cash benefit for pensioners (Journal of Laws 2021, item 1808, as amended).
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001808>
Article 2(1) [additional annual cash benefit]
Date of entry into force: 28 February 2020
- Act of 21 January 2021 on the second additional annual cash benefit for pensioners in 2021 (Journal of Laws 2021, item 432).
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000432>
Date of entry into force: 25 March 2021
- Act of 20 March 2015 on anti-communist opposition activists and persons repressed for political reasons (Journal of Laws 2021, item 1255)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001255>
Important amendment:
The Act of 30 March 2021 amending the Act on anti-communist opposition

activists and persons repressed for political reasons and certain other acts (Journal of Laws 2021, item 794) introduced the possibility of granting a compensatory benefit to beneficiaries who are eligible for invalidity pension and pension for incapacity for work.

- Act of 10 December 1993 on retirement pension provision for professional soldiers and their families (Journal of Laws 2020, item 586, as amended)
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?d=WDU20200000586>
- Act of 18 February 1994 on retirement pension provision for officials of the Police, Internal Security Agency, Foreign Intelligence Agency, Military Counter-Intelligence Service, Military Intelligence Service, Central Anti-Corruption Bureau, Border Guard, Parliament Guard, State Security Service, State Fire Service, Customs and Revenue Service and Prison Service and their families (Journal of Laws 2020, item 723, as amended)
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000723>
- Act of 28 November 2014 on medical committees answerable to the Minister responsible for internal affairs (Journal of Laws 2020, item 398, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000398>

4. Old-age benefits

(i) Benefits in kind

- Publicly Funded Healthcare Act of 27 August 2004 (consolidated text: Journal of Laws 2021, item 1285, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001285>

(ii) Benefits in cash

- Social Insurance System Act of 13 October 1998 (Journal of Laws 2021, item 423, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000423>
- Act of 17 December 1998 on retirement and other pensions provided by the Social Insurance Fund (Journal of Laws 2021, item 291, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000291>
Part III Chapter 2 Survivors' benefit [survivors' benefits]
Part IV Supplements to retirement pensions and other pensions, Article 75 [attendance allowance], Article 76 [allowance for orphans]
In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.
- Farmers' Social Insurance Act of 20 December 1990 (Journal of Laws 2021, item 266, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000266>
[farmers' retirement pension under the above Act, together with allowances]
- Act of 9 January 2020 on the additional annual cash benefit for pensioners (Journal of Laws 2021, item 1808).
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001808>

Article 2(1) [additional annual cash benefit]

Date of entry into force: 28 February 2020

- Act of 21 January 2021 on the second additional annual cash benefit for pensioners in 2021 (Journal of Laws 2021, item 432).

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000432>

Date of entry into force: 25 March 2021

- Act of 20 March 2015 on anti-communist opposition activists and persons repressed for political reasons (Journal of Laws 2021, item 1255)

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001255>

Important amendment:

The Act of 30 March 2021 amending the Act on anti-communist opposition activists and persons repressed for political reasons and certain other acts (Journal of Laws 2021, item 794) introduced the possibility of granting a compensatory benefit to beneficiaries who are eligible for survivors' benefits

- Act of 10 December 1993 on retirement pension provision for professional soldiers and their families (Journal of Laws 2020, item 586, as amended)

<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000586>

- Act of 18 February 1994 on retirement pension provision for officials of the Police, Internal Security Agency, Foreign Intelligence Agency, Military Counter-Intelligence Service, Military Intelligence Service, Central Anti-Corruption Bureau, Border Guard, Parliament Guard, State Security Service, State Fire Service, Customs and Revenue Service and Prison Service and their families (Journal of Laws 2020, item 723, as amended)

<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000723>

- Act of 28 November 2014 on medical committees answerable to the Minister responsible for internal affairs (Journal of Laws 2020, item 398, as amended)

<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000398>

- Act of 27 July 2001 on the organisation of ordinary courts (Journal of Laws 2020, item 2072, as amended)

<http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU202000002072>

Articles 69 to 73 and 100 to 102

- Public Prosecution Service Act of 28 January 2016 (Journal of Laws 2021, item 66, as amended)

<http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000066>

Article 127(1)

5. Survivors' benefits

(i) Benefits in kind

- Publicly Funded Healthcare Act of 27 August 2004 (consolidated text: Journal of Laws 2021, item 1285, as amended)

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001285>

(ii) Benefits in cash

- Social Insurance System Act of 13 October 1998 (Journal of Laws 2021, item 423, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000423>
- Act of 17 December 1998 on retirement and other pensions provided by the Social Insurance Fund (Journal of Laws 2021, item 291, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000291>
Part III Chapter 2 Survivors' benefit [survivors' benefits]
Part IV Supplements to retirement pensions and other pensions, Article 75 [attendance allowance], Article 76 [allowance for orphans]
In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.
- Farmers' Social Insurance Act of 20 December 1990 (Journal of Laws 2021, item 266, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000266>
[survivors' benefit under the above Act, together with supplements]
- Act of 9 January 2020 on the additional annual cash benefit for pensioners (Journal of Laws 2021, item 1808).
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001808>
Article 2(1) [additional annual cash benefit]
Date of entry into force: 28 February 2020
- Act of 21 January 2021 on the second additional annual cash benefit for pensioners in 2021 (Journal of Laws 2021, item 432).
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000432>
Date of entry into force: 25 March 2021
- Act of 20 March 2015 on anti-communist opposition activists and persons repressed for political reasons (Journal of Laws 2021, item 1255)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001255>
Important amendment:
The Act of 30 March 2021 amending the Act on anti-communist opposition activists and persons repressed for political reasons and certain other acts (Journal of Laws 2021, item 794) introduced the possibility of granting a compensatory benefit to beneficiaries who are eligible for survivors' benefits
- Act of 10 December 1993 on retirement pension provision for professional soldiers and their families (Journal of Laws 2020, item 586, as amended)
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?d=WDU20200000586>
- Act of 18 February 1994 on retirement pension provision for officials of the Police, Internal Security Agency, Foreign Intelligence Agency, Military Counter-Intelligence Service, Military Intelligence Service, Central Anti-Corruption Bureau, Border Guard, Parliament Guard, State Security Service, State Fire Service, Customs and Revenue Service and Prison Service and their families (Journal of Laws 2020, item 723, as amended)
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000723>
- Act of 27 July 2001 on the organisation of ordinary courts (Journal of Laws 2020, item 2072, as amended)
<http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200002072>
Articles 69 to 73 and 100 to 102

- Public Prosecution Service Act of 28 January 2016 (Journal of Laws 2021, item 66, as amended)
<http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000066>
Article 127(1)

6. Benefits in respect of accidents at work and occupational diseases

(i) Benefits in kind

- Publicly Funded Healthcare Act of 27 August 2004 (consolidated text: Journal of Laws 2021, item 1285, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001285>

(ii) Benefits in cash

- Social Insurance System Act of 13 October 1998 (Journal of Laws 2021, item 423, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000423>
[rules applicable to the cash benefits in respect of accidents at work and occupational diseases paid by the Social Insurance Institution listed in this declaration]
- Act of 30 October 2002 on social insurance in respect of accidents at work and occupational diseases (Journal of Laws 2019, item 1205, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20190001205>
Chapter 2 Types of benefits in respect of accidents at work and occupational diseases, conditions for acquiring the right to the benefits, rules and procedure for granting the benefits, determining their amounts and paying them [sickness benefit, rehabilitation benefit, compensatory benefit, one-off compensation, pension for incapacity for work, training allowance, survivors' benefit, allowance for orphans, attendance allowance and benefit to cover the costs of dental treatment, preventive vaccination and supply of orthopaedic equipment to the extent specified in the Act]
In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.
- Labour Code Act of 26 June 1974 (Journal of Laws 2020, item 1320, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200001320>
[rules applicable to the cash benefits in respect of accidents at work and occupational diseases paid by the Social Insurance Institution listed in this declaration]
- Farmers' Social Insurance Act of 20 December 1990 (Journal of Laws 2021, item 266, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000266>
Article 9(1) and Articles 10 to 13 [one-off compensation for accidents during agricultural work or farmers' occupational diseases]

- Act of 25 June 1999 on social insurance cash benefits in the event of sickness or maternity (Journal of Laws 2021, item 1133, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001133>
Chapter 2 Sickness benefit [sickness benefit]
Chapter 3 Rehabilitation benefit [rehabilitation benefit]
Chapter 4 Compensatory benefit [compensatory benefit]
In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.
- Act of 9 January 2020 on the additional annual cash benefit for pensioners (Journal of Laws 2021, item 1808, as amended).
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001808>
Article 2(1) [additional annual cash benefit]
Date of entry into force: 28 February 2020
- Act of 21 January 2021 on the second additional annual cash benefit for pensioners in 2021 (Journal of Laws 2021, item 432).
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000432>
Date of entry into force: 25 March 2021
- Act of 19 August 2011 on veterans of activities outside Poland (Journal of Laws 2020, item 2055)
<http://isap.sejm.gov.pl/DetailsServlet?id=WDU20200002055>
Chapter 6 Allowance for injured veterans [allowance for injured veterans]
- Act of 10 December 1993 on retirement pension provision for professional soldiers and their families (Journal of Laws 2020, item 586, as amended)
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000586>
- Act of 18 February 1994 on retirement pension provision for officials of the Police, Internal Security Agency, Foreign Intelligence Agency, Military Counter-Intelligence Service, Military Intelligence Service, Central Anti-Corruption Bureau, Border Guard, Parliament Guard, State Security Service, State Fire Service, Customs and Revenue Service and Prison Service and their families (Journal of Laws 2020, item 723, as amended)
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000723>
- Act of 28 November 2014 on medical committees answerable to the Minister responsible for internal affairs (Journal of Laws 2020, item 398, as amended)
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000398>

7. Death grants

Benefits in cash

- Social Insurance System Act of 13 October 1998 (Journal of Laws 2021, item 423, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000423>
[rules applicable to the death grants in cash paid by the Social Insurance Institution listed in this declaration]
- Act of 17 December 1998 on retirement and other pensions provided by the Social Insurance Fund (Journal of Laws 2021, item 291, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000291>

Part V Funeral grant [funeral grant]

In accordance with Article 52 of the Farmers' Social Insurance Act of 20 December 1990, the above Act applies in matters not regulated by the Farmers' Social Insurance Act.

- Farmers' Social Insurance Act of 20 December 1990 (Journal of Laws 2021, item 266, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000266>
Article 18(6) and Article 35 [funeral grant]
- Act of 10 December 1993 on retirement pension provision for professional soldiers and their families (Journal of Laws 2020, item 586, as amended)
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?d=WDU20200000586>
- Act of 18 February 1994 on retirement pension provision for officials of the Police, Internal Security Agency, Foreign Intelligence Agency, Military Counter-Intelligence Service, Military Intelligence Service, Central Anti-Corruption Bureau, Border Guard, Parliament Guard, State Security Service, State Fire Service, Customs and Revenue Service and Prison Service and their families (Journal of Laws 2020, item 723, as amended)
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000723>
Article 26 [funeral grant]
- Act of 27 July 2001 on the organisation of ordinary courts (Journal of Laws 2020, item 2072, as amended).
<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200002072>
Articles 69 to 73 and 100 to 102
- Public Prosecution Service Act of 28 January 2016 (Journal of Laws 2021, item 66, as amended)
<http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000066>
Article 127(1)

8. Unemployment benefits

(i) Benefits in kind

- Publicly Funded Healthcare Act of 27 August 2004 (consolidated text: Journal of Laws 2021, item 1285, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001285>

(ii) Benefits in cash

- Act of 20 April 2004 on employment promotion and labour market institutions (consolidated text: Journal of Laws 2021, item 1100, as amended)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001100>
Chapter 15 [unemployment benefit]

9. Pre-retirement benefits

Benefits in cash

- Pre-retirement Benefits Act of 30 April 2004 (Journal of Laws 2021, item 1867)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001867>
Article 2 [pre-retirement benefit]
- Teachers' Compensatory Benefits Act of 22 May 2009 (Journal of Laws 2018, item 128)
<http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20180000128>
Articles 3 and 4 [teachers' compensatory benefits]
Article 11 [attendance allowance]
- Act of 9 January 2020 on the additional annual cash benefit for pensioners (Journal of Laws 2021, item 1808)
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001808>
Article 2 [additional annual cash benefit]
Date of entry into force: 28 February 2020
- Act of 21 January 2021 on the second additional annual cash benefit for pensioners in 2021 (Journal of Laws 2021, item 432).
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000432>
Article 2(1) [second additional annual cash benefit in 2021]
Date of entry into force: 25 March 2021