

Details of settlement of PIT-38 for 2023

You will find here detailed information on the settlement of PIT-38 for 2024 in the Your e-PIT service.

 06.02.2025

Tax identifier

PESEL is entered by **natural persons** who **did not run** business activity or special branches of agricultural production, were not registered for VAT purposes, and were not payers of taxes and social and health insurance premiums.

Note! If you are a foreign national and you are obliged to settle tax in Poland, you should, as a rule, enter your PESEL number.

NIP is entered by persons who **conducted business activity, special branches of agricultural production**, were registered for VAT purposes or were payers (of both social and health insurance premiums and tax, e.g. due to employing an employee).

Tax return correction

You should correct your tax return, if:

- it includes accounting errors and obvious mistakes,
- you have completed it contrary to the requirements or there are doubts, whether the details it contains are correct.

Note! The right to correct a tax return:

- shall be suspended for the duration of a tax procedure or tax control – to the extent covered by this procedure or control,
- shall continue to appertain after the completion of:
 - tax control,
 - tax procedure – to the extent not covered by the decision specifying the tax liability amount.

If, in the course of the tax avoidance procedure, you are submitting a corrected tax return, you should also specify the reason for its submission (Article 81b(1a) and (1f) of the Tax Ordinance).

Revenue and tax-deductible expenses

Revenue from PIT-8C information and other revenue

In column b of section C of PIT-38 tax return, you should show revenue:

- shown in section D of PIT-8C information for 2024;
- shown in section E of PIT-8C information for 2024, to which Article 19 of the Act of 12 November 2003 amending the Personal Income Tax Act and certain other acts (Journal of Laws No. 202, item 1956, as amended) does not apply);
- earned in the territory of the Republic of Poland, where the entity not being a taxpayer was not obliged to complete PIT-8C information;
- earned abroad (e.g. from the sale of shares or taking up shares in exchange for an in-kind contribution).

Remember that you are obliged to submit PIT-38 tax return, if in 2024:

1. You earned revenue from:
 - a. sale of: securities, borrowed securities (short sales), derivative financial instruments, shares in the companies, including all rights and obligations in a company having no legal personality, being an income tax payer, or shares in a cooperative,
 - b. taking up shares in the companies or contributions in cooperatives in exchange for an in-kind contribution,
 - c. exercise of the rights arising from securities or derivative financial instruments,
 - d. redemption, repurchase, buyout or other cancellation of participation in equity funds,
2. You earned revenue or incurred tax-deductible expenses from the sale of virtual currencies.

Revenue from the sale of securities (shares in companies or shares in a cooperative) is generated upon the transfer of the ownership of the securities (shares) to the buyer, therefore revenue is understood as the amounts due, even if these amounts have not been actually received. Revenue due from the exercise of rights arising from securities and revenue from the exercise of rights arising from derivative financial instruments is generated upon the exercise of these rights.

You may include the following as tax-deductible expenses:

- expenses for the purchase of a security disposed of against payment (the expense is the unit price multiplied by the number of securities) and
- expenses incurred by you in the fiscal year for, e.g. for having your account handled by the brokerage house (commissions paid upon the purchase and sale of securities, expenses related to maintaining or opening an account, transfers, depositing securities, etc.).
- expenses for the purchase or taking up the securities without the agency of a brokerage house, shares or all rights and obligations in a limited joint-stock partnership (e.g. notary fees), as well as paid interest and commissions on loans, for which the securities, shares or all rights and obligations in a limited joint-stock partnership (S.K.A.) were purchased.

If you sold shares in a limited company, shares in a cooperative or securities acquired by the taxpayer by way of inheritance, you may also include the expenses incurred by the testator in order to take up or purchase these shares and securities as tax-deductible expenses.

If you acquired shares in a company, shares in a cooperative or securities by way of donation, the purchase price for tax purposes is PLN 0. Remember however that income from their sale is tax exempt in the part equivalent to the amount of inheritance and donation tax paid.

Show all expenses related to the revenue listed in PIT-8C information and other expenses incurred with regard to the purchase of securities in your tax return. Determine the amount of the expenses based on documents confirming the expenses incurred.

Sale of virtual currencies – Article 30b(1a) of the Act

The sale of a virtual currency is understood as settling other liabilities with this virtual currency or exchanging this virtual currency for:

- a legal tender,
- good, service or property right other than the virtual currency.

You are required to show the revenue and expenses from the sale of a virtual currency in your tax return, if in 2024 you:

- earned revenue from the sale of a virtual currency,
- incurred tax-deductible expenses in the form of expenses for the purchase of the virtual currency – even if you received no revenue from the sale of the virtual currency in the fiscal year concerned.

Tax-deductible expenses associated with the sale of virtual currencies.

Pursuant to Article 22(14) of the PIT Act, tax-deductible expenses associated with the sale of a virtual currency include:

- documented expenses incurred by you directly for the purchase of the virtual currency, and
- costs related to the sale of the virtual currency by you, including documented expenses incurred for the benefit of entities being the intermediaries in the sale of these currencies.

Income earned abroad

If you earned revenue from capital gains abroad, this revenue may be also subject to taxation.

Income is understood as the difference between revenue you earned and tax-deductible expenses. If the tax-deductible expenses are higher than the revenue, you have suffered a loss that you should also show in your tax return.

You should convert the amounts in foreign currencies into PLN at the average exchange rate announced by the National Bank of Poland **on the last business day preceding the day when the revenue was earned.**

If you show income earned abroad and – in specific cases – also the tax paid on income earned abroad, Your e-PIT service will automatically attach appendix PIT/ZG to your tax return.

[Currency calculator](#)

Flat-rate tax on revenue (income), including revenue (income) earned abroad

Flat-rate income tax referred to in Articles 29, 30 and 30a of the PIT Act

As a rule, revenue referred to in Articles 29, 30 and 30a of the PIT Act is subject to flat-rate income tax, which is required to be withheld by the tax remitter.

If this tax was not withheld by tax remitter, you have to calculate it yourself. Calculate the amount of flat-rate tax on revenue (income) by multiplying the revenue (income) amount by the flat-rate tax appropriate for the revenue (income) earned and specified in the Act or a double taxation avoidance agreement.

Flat-rate tax calculated for revenue referred to in Article 30a(1)(1) - (5) of the Act.

Flat-rate tax calculated for revenue (income) referred to in Article 30a(1)(1) - (5) of the Act, earned abroad:

- from interest on loans (except where lending is a part of one's business activity);
- from interest and discount on securities;
- from interest on or other revenue from cash accumulated in your account or in other forms of saving, custody or investing, handled by an entity authorised under other provisions (with the exception of cash associated with the pursued business activity);
- from dividends and other revenue from a share in profits of legal persons;
- from income from participation in equity funds.

Tax paid abroad referred to in Article 30a(9) of the Act

If you earned the above-mentioned revenue (income) abroad, you have the right to deduct an amount equal to the tax you paid abroad from the calculated flat-rate tax on this revenue (income). This deduction may not, however, exceed the amount of tax calculated on this revenue (income) at a rate of 19%.

Losses carried forward

In your tax return for 2024, you may show a loss incurred in: 2019, 2020, 2021, 2022 or 2023.

You may deduct only losses on revenue taxable in 2019-2023:

on account of the sale of:

- securities,
- borrowed securities (short sale),
- derivative financial instruments and the exercise of rights arising therefrom,
- shares in companies or shares in a cooperative.

on account of taking up shares or contributions in cooperatives in exchange for an in-kind contribution in a form other than an enterprise or its organized part.

Note! You may settle a loss only as part the same source, on which it was incurred.

Pursuant to Article 9(3) of the PIT Act, you may – by the amount of loss on the source of revenue incurred in a fiscal year:

1. reduce the income earned from this source in the next five consecutive fiscal years, provided that the reduction amount in none of these years may exceed 50% of this loss amount, **or**
2. make a one-off reduction of income earned from this source in one of the next five consecutive fiscal years by an amount of up to PLN 5,000,000; you may settle the non-deducted amount in the remaining years of this five-year period, provided that the reduction amount in none of these years may exceed 50% of this loss amount.

Tax rate – sale of securities

The tax rate is 19%

If you are subject to a limited (resulting from a double taxation avoidance agreement) tax obligation in the territory of Poland, you may apply this tax rate, if you document your place of residence for tax purposes with a residence certificate.

Tax rate – sale of virtual currencies

The tax rate is 19%

If you are subject to a limited (resulting from a double taxation avoidance agreement) tax obligation in the territory of Poland, you may apply this tax rate, if you document your place of residence for tax purposes with a residence certificate.

Automatic acceptance

PIT-38 tax return for 2024 prepared based on PIT-8C information (data held by the tax administration) will be automatically accepted on 30 April 2025 at 11:59:59 pm, if:

- the system includes correctly submitted PIT-8C information;
- you are an adult;
- you have not rejected the tax return prepared for you;
- you have not submitted your tax return in any other form e.g. in paper.

By the deadline for filing the tax return, you are not subject to PIT-38 settlement and your tax return will not be automatically accepted, if at least one of the following circumstances occurs:

- the system does not include information from the tax remitter;
- information from the tax remitter available in the system is incorrect;
- you were a minor;
- you have rejected the tax return prepared for you.

Other information

If you have a valid Large Family Card (KRD), notify this fact in the submitted tax return. This information allows you to obtain an accelerated tax refund. Remember that this option is only available if you submit your tax return in electronic form.

You may also provide your phone number or e-mail address in tax return. This enables the tax office contacting you easily on your submitted tax return. Providing this information is however not obligatory. Do not do this, if you don't want to.

Personal account for overpayment refund

If the tax return shows an overpayment, you may indicate in this section an account (other than the one related to the pursued business activity), to which the overpayment is to be refunded.

You may be the holder or co-holder of the indicated account. Indicate the first names and surnames of all co-holders of the account.

Note! The indicated account updates the account previously reported to the tax office.

Information on appendices

PIT/ZG is submitted by taxpayers, who earn revenue abroad. Information should show the amount of income/revenue earned abroad and of the tax paid abroad.

You are obliged to attach additional information to your tax return, as appropriate. If you complete data in relevant items of tax return in the Your e-PIT service, the appendix will be generated automatically.