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Abstract: The main objective of this paper is to present the results of empirical studies on net profit distribution in companies using state–owned enterprises against payment[1]. The main research hypothesis states that the majority of companies using state–owned enterprises against payment waive their right to the dividend and transfer a major part of retained earnings to supplementary capital. The empirical investigation of the main hypothesis has been conducted among 21 companies based in Mazowieckie Province, which concluded privatisation agreements with the State Treasury in years 2000–2005. The analysis of net profit distribution in companies using state–owned enterprises against payment is based on data collected and processed by the author of the article from the National Court Register, for the period from the privatisation date of the surveyed enterprises to 2010, using measures of descriptive statistics. The paper consists of the following parts: the introduction, the essence of giving state–owned enterprise for use against payment, the characteristics of companies qualified to the research sample, net profit distribution policy in companies using state–owned enterprises against payment. Finally, it is concluded that over the first three years of operation every second company using a state–owned enterprise against payment did not pay a dividend transferring all of retained earnings to supplementary capital.

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Introduction

Giving a state–owned enterprise for use against payment to a company is the most employee oriented way of privatisation in Poland (see Błaszczyk, 2002, p. 193). The specific character and scale[2] of giving state–owned enterprises for use against payment to companies with employee share ownership (compare Aghion & Blanchard, 1998, pp. 96–97; Bornstein, 1997, p. 329; Lowitzsch, 2006, pp. 132–134, 160–162, 253–255; Kozarzewski, 2006, pp. 124–125) result in achieving social and economic objectives of the ownership transformation process (see Balcerowicz, 1997, p. 218; Bałtowski, 2002, pp. 17, 30; Brozi, 1993, pp. 17–18, 32–34; Prusek, 2005, pp. 5–17; Sobolewski, 2011, pp. 43–53).

Obligations to the State Treasury arising from the business activity of companies using state–owned enterprises against payment is a significant factor. The excessive burden on companies in respect of using state–owned enterprises against payment and the lack of ownership of the assets of the acquired enterprises during the agreement period with the State Treasury negatively affect their credit capacity, limiting their ability to obtain loans for the financing of development investments (see Bojar et al., 2003, pp. 89, 95, 98, 106, 109, 111; Jarosz & Kozak, 1995, pp. 118–125; Wrońska, 2004, pp. 127, 129, 135, 137, 141, 161). Therefore companies using state–owned enterprises use equity capital[3] as their source of financing (compare Brealey et al., 2001, pp. 508–509; Duliniec, 1998, pp. 32–34; Duraj, 2000, pp. 201–203, Frank & Goyal, 2003, p. 241; Gajdka, 2002, pp. 230–248; López–Garcia & Sogorb–Mira, 2008, p. 133; Myers & Majluf, 1984, pp. 219–220, Serrasqueiro et al., 2011, p. 381). Moreover, the fear among employee owners of losing control over the company or a hostile takeover (compare Damodaran, 2007, pp. 872–873; Ickiewicz, 2004, p. 206; Safin, 2003, p. 45) and the conditions that must be met to obtain deferred additional fees exemption, as debt interest held by the State Treasury, may lead not only to the company being financed through retained earnings but also to allocating a substantial part of retained earnings to the company's supplementary capital.

[2] Poland was the only country in Central–Eastern Europe in which manager–employee buy–out pursued in the form of lease leverage employee buy–out developed on such a large scale.
[3] According to the pecking order theory, especially useful in understanding small and medium–sized enterprises' capital structure, companies prefer internal funds, such as retained earnings, as their source of financing.

The main objective of this paper is to present the results of empirical studies on net profit distribution in companies using state–owned enterprises against payment The main research hypothesis of the article states that the majority of companies using state–owned enterprises against payment waive their right to the dividend and transfer a major part of retained earnings to supplementary capital. The empirical investigation of the main hypothesis has been conducted among 21 companies based in Mazowieckie Province, which concluded privatisation agreements with the State Treasury in years 2000–2005. The analysis of net profit distribution in surveyed companies is based on data collected and processed by the author from the National Court Register.

The methodology of the empirical research, the essence of using state–owned enterprise against payment, the companies qualified to the research sample are discussed further on in the study. The main research conclusions were formulated in the Conclusions section.

Methodology of the research

The empirical research on net profit distribution in companies using state–owned enterprises against payment has been carried out among companies, which concluded privatisation agreements with the State Treasury in years 2000–2008. Defining the period during which companies concluded agreements with the State Treasury was due to the following reasons:

- empirical research on companies using state–owned enterprises against payment already carried out did not go beyond 2000 (see Kozarzewski & Woodward, 2001),
- the need of analysis of net profit distribution policy in companies using state–owned enterprises against payment during at least the five–year research period after the year in which the agreement with the State Treasury was concluded[4].

The empirical research on net profit distribution policy has been carried out in companies using state–owned enterprises against payment[5] from

[4] In case of companies using state–owned enterprises against payment which concluded the agreement with the State Treasury in 2008 the analysis of net profit distribution is carried out with respect to years 2008–2013.

[5] Companies established to lease the assets of directly privatised and liquidated state–owned enterprises (lease leverage employee buy–out) are commonly referred to as employee companies.

Mazowieckie Province, where most such entities were established from the beginning of the privatisation process to the end of 2010. According to the data from Central Statistical Office in Poland (GUS), 190 employee companies were established in Mazowieckie Province from 1990 to 2010 (compare Baehr, 1993, pp. 51–52; Górka, 1991, p. 91; Nadratowska, 1990, p. 54; Włodyka, 1996, pp. 657–663), amounting to 12.16% of all companies established during the period of ownership transformation in Poland (see Prywatyzacja przedsiębiorstw państwowych w 2010 r., p. 59).

According to the data from the Ministry of the Treasury, from 2000 to 2008, 29 agreements of giving a state–owned enterprise for use against payment were concluded in Mazowieckie Province, none of which was concluded after 2005. From 29 companies based in Mazowieckie Province, which concluded privatisation agreements with the State Treasury in years 2000–2005, companies using state–owned enterprises against payment were excluded:

- companies in liquidation and under bankruptcy (2 entities),
- enterprises undergoing transformation of the organizational–legal form[6] (3 entities),
- established before the implementation of the new Privatisation Law[7] (3 entities).

Eventually, 21 Mazowieckie Province–based companies using state–owned enterprises against payment, which concluded privatisation agreements with the State Treasury in years 2000–2005, were qualified as the research sample.

The analysis of net profit distribution in companies using state–owned enterprises against payment was carried out on the basis of documentation of the surveyed companies submitted to the National Court Register, for the period from the privatisation date of the companies to 2010. The date of privatisation is the date of the agreement with the State Treasury giving rise to the submission of an application for removal of the state–owned enterprise, whose assets were given for use against payment, from the Register of Entrepreneurs (Ustawa z dnia 30 sierpnia 1996 r., DzU 2002e, Article 42 (2)). The period from the privatisation date to the end of the year in which it occurred is treated as year t = 0 (year of privatisation).

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[6] Three limited liability companies were converted into limited partnerships during the research period.

[7] The Act of August 30, 1996 on Commercialisation and Privatisation (Journal of Laws No. 171/2002, item 1397 with subsequent amendments) repealed the previous act in this respect as of 8 January 1997.

Measures of descriptive statistics, i.e. classical and positional measures of dispersion and measures of position were used in the empirical research of net profit distribution policy in companies using state–owned enterprises against payment.

The essence of giving state–owned enterprise for use against payment to a company

Giving state–owned enterprise for use against payment to a company is one of three direct privatisation methods consisting in the disposition of all tangible and intangible component assets (Ustawa z dnia 30 sierpnia 1996 r., DzU 2002, Article 39 (1)). The subject of the direct privatisation through giving state–owned enterprises for use against payment may be entities which fulfil the following conditions[8] (compare Grzeszczyk, 1997, p. 231; Surdykowska, 1996, p. 39; Ustawa z dnia 30 sierpnia 1996 r., DzU 2002, Article 39 (2)):

- the sales value of goods and services in the year preceding the year of issuing a privatisation order is not higher than the PLN equivalent of EUR 6 million,
- the sales value of goods and services in the year preceding the year of issuing a direct privatisation order is not higher than the PLN equivalent of EUR 2 million[9].

Giving state–owned enterprise for use against payment to a capital company may take place if (Ustawa z dnia 30 sierpnia 1996 r., DzU 2002, Article 51 (1, 2)):

- more than half of the employees of the privatised state–enterprise joined the company,
- shareholders are only to natural persons, unless the Minister of the Treasury will allow the participation to legal persons in the company,
- paid–up share capital of the company shall not be lower than 20% of the founding capital and the enterprise capital at the date on which balance sheet for the financial year, preceding the year of issuing the direct privatisation order, was drawn up,

[8] The direct privatisation through giving state–owned enterprise for use against payment is designed for small and medium–sized enterprises.

[9] The PLN equivalent is calculated by the purchase rate announced by the Polish National Bank on 31 December of the year preceding the year of issuing a direct privatisation order.

– at least 20% of the shares have been acquired by persons not employed in the privatised state–owned enterprise[10].

Giving state–owned enterprise for use against payment shall be effected by the agreement between the State Treasury and the established company for a period not exceeding[11] 10 years (compare Ustawa z dnia 5 grudnia 2002 r., Article 2 (15), Article 25). In the agreement of giving the state–owned enterprise for use against payment, the parties may decide that the ownership of the enterprise is transferred to the transferee after the period for which the agreement was concluded and upon fulfilment of the conditions specified in the agreement. The ownership of the enterprise may be transferred before the expiry of the period for which the agreement was concluded after the payment by the transferee at least one–third of liabilities to the State Treasury and the approval of the financial statement for the second financial year from the date of the conclusion of the agreement. The remaining part of the liability, bearing interest at[12] the price index of investment goods[13] lowered not less than a half percentage points[14], is paid in instalments (compare Rozporządzenie Rady Ministrów z dnia 16 października 1997 r., §8 item 3; Teluk & Wojnowicz, 1999, p. 38–39; Ustawa z dnia 12 maja 2006 r., Article 1 (12), Article 11; Ustawa z dnia 30 sierpnia 1996 r., DzU 1996, Article 52 (2–4)).

The contractual value of the state–owned enterprise given for use against payment is the basis for determining the commitments for using the enterprise (Rozporządzenie Rady Ministrów z dnia 16 października 1997 r., §2). In agreements concerning giving the state–owned enterprise for use against payment, in which transfer of the ownership to the company is provided for, the commitment for the use of the business assets cannot be

[10] The Minister of the Treasury may consent to give the state–owned enterprise for use against payment to a company which does not fulfil the requirements of the acquisition of 20% of shares by persons not employed in the privatised state–owned enterprise

[11] From 15 January 2003 the agreement between the State Treasury and the company established to use the state–owned enterprise against payment may be concluded for a period not exceeding 15 years.

[12] From 28 July 2006, in the event of the transfer of the enterprise before the expiry of the period for which the agreement was concluded, the remaining part of the liability to the State Treasury bear interest at not less than the price index of investment goods.

[13] The price index of investment goods is published on a quarterly basis by the President of the Central Statistical Office of Poland in the Official Journal of the Republic of Poland "Monitor Polski".

[14] The reduction of the price index of investment goods depends on the degree of implementation of non–price commitments consisting of commitments in terms of investments, environmental and cultural protection and job protection.

lower than the total sum of (Rozporządzenie Rady Ministrów z dnia 16 października 1997 r., §3):

- the value of the enterprise paid in capital instalments – the quotient of the value of the enterprise and the numbers of year quarters, for which the agreement was concluded,
- the sum of additional fees for the duration of the agreement – the product of the value of the enterprise reduced by paid capital instalments and an interest rate[15] of 0.5 of the current lombard rate[16] (compare Dodatkowe wyjaśnienia dotyczące nowej metody …, pp. 1–2; Komunikat Komisji w sprawie zmiany metody …, p. 8; Rozporządzenie z dnia 14 grudnia 2004 r., §7 item 1; Obwieszczenie Komisji w sprawie metody …, p. 3; Obwieszczenie Komisji w sprawie bieżących stóp …, p. 13; Zawiadomienie Komisji w sprawie bieżących stóp …, p. 2).

Moreover, additional fees in such agreements can be paid[17]:

- in the first four quarters of the duration of the agreement in the amount of one–third of their value estimated for a given period.
- in the next four quarters of the duration of the agreement in the amount of half their value estimated for a given period,

The difference between charged and paid value of additional fees for these periods increases the value of the company's liability to the State Treasury and is quarterly paid without capitalizing in equal instalments from the third year

[15] From 22 December 2004 the interest rate of the unpaid part of the value of the enterprise cannot be lower than the reference rate periodically fixed by the European Commission for Poland. From 1 July 2008 the European Commission does not publish the reference rate but fixes the base rate increased by a relevant margin to provide the reference rate. The amount of the margin depends on the enterprise's rating and the offered level of assurance. The new method of the base rate determination, by adding the margin relevant to a particular company to the base rate fixed by the European Commission, reflects the method of determining the borrowing rate in market conditions. Using a lower interest rate of the unpaid value of the enterprise than the reference rate of the European Commission, treated as a market rate, may be treated as an unjustified public aid.

[16] The lombard rate is determined by the President of the National Bank of Poland (NBP). If the lombard rate exceeds 40%, the amount of the liability updated at the date of the rate's change is assumed in the amount equal to 40%.

[17] From 2 June 2006 deferral of capital instalments or additional fees that have not yet fallen due and the possibility of division into instalments of the payments that were due may be specified in the agreement of giving a state–owned enterprise for use against payment. The amendments to the provisions of the agreement concerning deferral of capital instalments or additional fees, or division into instalments of the payments is public aid for restructuring purposes.

till the end of the period of the agreement (compare Rozporządzenie Rady Ministrów z dnia 16 października 1997 r., §5 item 2, 3; Rozporządzenie Rady Ministrów z dnia 25 kwietnia 2006 r., §1 (3), §9).

The company may be exempted[18] from the debt arising from deferral of additional fees if in the year of the agreement or in two years in total (compare Rozporządzenie Rady Ministrów z dnia 16 października 1997 r., §5 item 5, 6; Rozporządzenie Rady Ministrów z dnia 25 kwietnia 2006 r., §3 item 2):

- the net profit write–offs allocated to supplementary capital amounted to at least 80% of the profit,
- commitment for the use of the business assets of the state–owned enterprise was paid within the maturity date,
- the company will agree not to allocate the supplementary capital to the share capital within three years of the exemption,
- the company will not transfer shares to the shareholders of the company.

The value of exemption from the debt may not be higher than the net profit write–offs allocated to supplementary capital in the year of the agreement or in two years in total and it the commitments to the State Treasury (Rozporządzenie Rady Ministrów z dnia 16 października 1997 r., §5 item 4).

The characteristics of companies qualified to the research sample

The majority (17 companies) from 21 companies using state–owned enterprises against payment qualified to the research sample are entities whose value of the subject of the agreement with the State Treasury exceeded PLN 1 million.

[18] From 28 October 2005 exemption in the amount of two thirds of additional fees payable in the first eight quarters of the year without its prior deferral is possible within the framework of regional aid for new investments.

Table 1. Companies using state–owned enterprises against payment – the characteristics of the research sample

Company using the state–owned enterprise against payment	Year of agreement conclusion with the State Treasury	Year of expiration of the agreement	Year of the ownership transfer	Year of payment of liabilities to the State Treasury	Interest rate	The value of the agreement subject with the State Treasury [PLN]	The value of deferred additional fees [PLN]	The value of redemption [PLN]
PRD Sp. z o. o. Zaskórski i Wspólnicy	2000	2010	2002	2010	1/2l/i-0.1	450,000.00	47,805.00	0.00
PRD Sp. z o.o. w Zwoleniu	2000	2009	2004	2009	1/2l/i-0.1	1,800,000.00	203,535.99	203,535.99
PRI-D Sp. z o.o. w Grójcu	2000	2010	2005	2010	1/2l/i-0.1	2,600,000.00	216,694.56	0.00
PRDI S.A. w Mławie	2000	2010/2015	2005	x	1/2l/i-0.1	3,000,000.00	298,152.84	298,152.84
WCMB Sp. z o.o.	2000	2010	2005	2010	1/2l/i-0.1	1,310,000.00	129,069.11	0.00
Elektroprojekt S.A. w Warszawie	2001	2011/2016	2004	x	1/2l/i-0.1	4,100,000.00	367,064.56	367,064.56
PKS Sp. z o.o. w Grójcu	2001	2011	2004	x	1/2l/i-0.1	5,100,000.00	357,008.21	357,008.21
Morspol S.A. w Warszawie	2001	2011	2009	2008	1/2l	6,100,000.00	404,647.89	404,647.89
PRD-M Sp. z o.o. w Płońsku	2001	2011	2004	x	1/2l/i-0.1	3,300,000.00	262,656.52	262,656.52
ZTE RADOM Sp. z o.o.	2001	2011	2003	x	1/2l/i-0.1	9,250,000.00	636,558.35	636,558.35
BSiPB MSW Sp. z o.o. w Warszawie	2001	2011	x	x	1/2l	75,500.00	4,615.32	0.00
PKS Sp. z o.o. w Grodzisku Maz.	2001	2011	2004	x	1/2l/i-0.1	3,700,000.00	217,555.13	217,555.13
Tarczyn Sp. z o.o.	2001	2011/2016	2008	x	1/2l/ref	1,100,000.00	64,470.69	0.00
Ostrada Sp. z o.o. w Ostrołęce	2001	2011	2006	x	1/2l/i-0.1	2,600,000.00	181,065.31	181,065.31
Elmet Sp. z o.o. w Warszawie	2001	2011	2009	2009	1/2l	7,000,000.00	585,552.75	585,552.75
ZTiSZE Sp. z o.o. w Warszawie	2001	2011	2003	x	1/2l/i-0.1	5,500,000.00	341,939.23	240,720.11
Geokart Sp. z o.o. w Warszawie	2002	2007	2008	2008	1/2l	650,000.00	24,951.28	24,951.28
Polmos S.A. w Warszawie	2003	2013	2004	x	1/2l/i-0.1	3,000,000.00	94,545.07	0.00
Polsport Sp. z o.o. w Górze Kalwarii	2004	2019	2006	2006	1/2l	2,070,000.00	67,827.14	0.00
Biprodrzew S.A. w Warszawie	2005	2020	2007	2007	ref	7,100,000.00	x	x
Bipromel Sp. z o.o. w Warszawie	2005	2015	x	x	ref	300,000.00	x	x

Symbols: „1/2l" – 1/2 of the lombard rate of the National Bank of Poland; „i-0.1" – the price index of investment goods reduced by 0.1 percentage points; "ref" - the reference rate

Source: own work based on data of the Ministry of the Treasury.

Three companies – *Geokart Sp. z o.o.*, *Polmos S.A.* and *Bipromel Sp. z o.o.* – concluded agreements of giving the state–owned enterprise for use against payment for a period shorter than the maximum allowed, whereas the other three – *Przedsiębiorstwo Robót Drogowo-Inżynieryjnych S.A. w Mławie*, *Elektroprojekt S.A.* and *Tarczyn Sp. z o.o.* – extended the duration of the agreement from 10 years to 15 years.

Two companies – *Biprodrzew S.A.* and *Bipromel Sp. z o.o.* – used state–owned enterprises against payment under the conditions determined by The Ordinance of the Council of Ministers of December 14, 2004 on terms of payment for amounts due on the use of the enterprise (Journal of Laws No. 269, item 2667)[19]. Additional fees were set for the companies using the reference rate without deferred payment option specified in the agreement concluded with the State Treasury.

Eleven companies using state–owned enterprises against payment from these, which concluded agreements with the State Treasury with deferred payment option, were exempted from the debt. One company – *Zakład Transportu Energetyki „ZTiSZE" Sp. z o.o.* – was partially exempted from the debt arising from deferral of additional fees because the value of the net profit allocated to supplementary capital did not cover the volume of the debt.

In the majority of cases after the prior transfer of the ownership of the enterprise, the remaining part of the commitment to repay was subject to the price index of investment goods reduced by 0.1 percentage points. Applying this interest rate resulted in public aid grant (see Ustawa z dnia 30 czerwca 2000 r.), which was devoted to improving financial liquidity or investment projects.

Four companies using state–owned enterprises against payment – *Morspol S.A., Elmet Sp. z o.o.*, *Geokart Sp. z o.o.* and *Polsport Sp. z o.o.* – obtained the right of ownership of the enterprise after the payment of all commitments to the State Treasury. In case of three companies the payment was made before the expiry date of the agreement[20]. As of 31 December 2010, twelve agreements of giving a state–owned enterprise for use against

[19] The conditions of giving the state–owned enterprise for use against payment to a company are determined by The Ordinance of the Council of Ministers of December 14, 2004 on terms of payment for amounts due on the use of the enterprise (Journal of Laws No. 269, item 2667), which repealed the previously applicable ordinance from 22 December 2014.

[20] In 2007 one company – *Biprodrzew S.A.* – not only made use of the possibility to obtain the right of ownership of the enterprise before the expiry date of the agreement but also made the payment for using the state–owned enterprise.

payment were valid. Two entities from the research sample – *Bipromel Sp. z o.o.* and *Biuro Studiów i Projektów Budownictwa Ministerstwa Spraw Wewnętrznych Sp. z o.o.* – did not own the enterprises (see table 1).

Directions of net profit distribution policy in companies using state–owned enterprises against payment

In the research period,10 of 21 companies using state–owned enterprises against payment have never paid the dividend. Seven companies of these, which did not pay the dividend, achieved positive financial results within the whole research period. Two companies – *Wyszkowskie Centrum Materiałów Budowlanych Sp. z o.o.* and *Biuro Studiów i Projektów Budownictwa Ministerstwa Spraw Wewnętrznych Sp. z o.o.* – did not pay dividend as a result of generating net losses. One company – *Wyszkowskie Centrum Materiałów Budowlanych Sp. z o.o.* – allocated the net profit generated in the period t = 5 to cover the losses from the previous years.

In period t = 0 (the year of privatisation) only two companies using state–owned enterprises against payment – *Polmos S.A.* and *Biprodrzew S.A.* – paid dividend. The company – *Polmos S.A.* – paid dividend every year during the research period exceeding 35% of the net profit for a given year. In the next two years following the year of privatization seven companies using state–owned enterprises against payment paid the dividend, three of them paid the dividend every year. After the period t = 3 eleven companies decided to pay dividend from the net profit generated in a given year.

Only one company using the state–owned enterprise against payment – *Zakład Transportu Energetyki „ZTiSZE" Sp. z o.o.* – allocated all of the net profit for the payment of dividend in the last year of the research period. In period t = 5 the company – *Przedsiębiorstwo Robót Drogowych Sp. z o.o. Zaskórski i Wspólnicy* – paid the dividend which constituted 99% of the net profit of the given year.

In fifteen companies using state–owned enterprises against payment which generated positive financial results the arithmetic mean of the part of net profit allocated to the payment of dividend was between 2.55% and 30.11%. The arithmetic mean systematically increased apart from the fourth period after the year of privatisation. The highest value of the arithmetic mean of the part of net profit allocated to the payment of dividend was in period t = 3, when the difference of the value was the biggest. In the third period after the year of privatisation every second

company allocated not more than 25.87% of the net profit in the given year to the payment of dividend (see table 2).

Table 2. Proportion of the net profit allocated to the payment of dividend in companies using state–owned enterprises against payment

Company using the state–owned enterprise against payment	Period					
	0	1	2	3	4	5
PRD Sp. z o. o. Zaskórski i Wspólnicy	0.00	x	*0.00*	0.00	0.00	99.94
PRD Sp. z o.o. w Zwoleniu	0.00	0.00	20.00	35.00	*14.90*	18.43
PRI-D Sp. z o.o. w Grójcu	0.00	0.00	0.00	0.00	0.00	*0.00*
PRDI S.A. w Mławie	0.00	35.39	x	x	32.34	*48.56*
WCMB Sp. z o.o.	x	x	x	x	x	*0.00*
Elektroprojekt S.A. w Warszawie	0.00	0.00	0.00	*77.63*	53.46	34.99
PKS Sp. z o.o. w Grójcu	0.00	1.04	1.19	*64.40*	0.00	0.00
Morspol S.A. w Warszawie	0.00	0.00	0.00	0.00	0.00	0.00
PRD-M Sp. z o.o. w Płońsku	0.00	20.00	32.67	*47.74*	39.04	30.43
ZTE RADOM Sp. z o.o.	0.00	0.00	*0.00*	0.00	0.00	0.00
BSiPB MSW Sp. z o.o. w Warszawie	0.00	0.00	x	x	x	x
PKS Sp. z o.o. w Grodzisku Maz.	0.00	0.00	0.00	*25.87*	49.93	0.00
Tarczyn Sp. z o.o.	0.00	0.00	0.00	0.00	0.00	0.00
Ostrada Sp. z o.o. w Ostrołęce	0.00	0.00	0.00	0.00	0.00	*0.00*
Elmet Sp. z o.o. w Warszawie	0.00	0.00	x	x	0.00	0.00
ZTiSZE Sp. z o.o. w Warszawie	0.00	0.00	*0.00*	80.62	23.32	100.00
Geokart Sp. z o.o. w Warszawie	0.00	0.00	7.95	36.22	23.45	69.52
Polmos S.A. w Warszawie	38.24	*80.60*	79.50	84.22	82.49	67.27
Polsport Sp. z o.o. w Górze Kalwarii	0.00	0.00	***0.00***	0.00	0.00	0.00
Biprodrzew S.A. w Warszawie	35.94	15.77	***x***	x	38.46	0.00
Bipromel Sp. z o.o. w Warszawie	0.00	0.00	0.00	0.00	0.00	0.00
Descriptive statistics						
Number of entities	15	15	15	15	15	15
Arithmetic mean	2.55	6.78	9.42	30.11	19.11	21.38
Standard deviation	9.87	21.06	21.58	33.43	26.08	32.73
Minimum	0.00	0.00	0.00	0.00	0.00	0.00
Maximum	38.24	80.60	79.50	84.22	82.49	100.00
First quartile	0.00	0.00	0.00	0.00	0.00	0.00
Median	0.00	0.00	0.00	25.87	0.00	0.00
Third quartile	0.00	0.00	4.57	56.07	31.25	32.71

Symbols:
"bold" - the year of the company's payment of all liabilities to the State Treasury for using the state–owned enterprise against payment;
"*italics*" - the year of transfer of the ownership of the enterprise;
"x" - net loss;
"pole" - coverage of losses from the previous years;
"pole" - transfer of a part of the net profit to reserve capital.

Source: own calculations based on date of National Court Register.

Table 3. Proportion of the net profit allocated to supplementary capital in companies using state–owned enterprises against payment

Company using the state–owned enterprise against payment	Period					
	0	1	2	3	4	5
PRD Sp. z o. o. Zaskórski i Wspólnicy	100.00	x	*0.00*	0.00	0.00	0.06
PRD Sp. z o.o. w Zwoleniu	100.00	100.00	80.00	65.00	*85.10*	81.57
PRI-D Sp. z o.o. w Grójcu	100.00	100.00	100.00	100.00	100.00	*100.00*
PRDI S.A. w Mławie	100.00	64.61	x	x	35.30	*45.38*
WCMB Sp. z o.o.	x	x	x	x	x	*0.00*
Elektroprojekt S.A. w Warszawie	100.00	100.00	100.00	*22.37*	46.54	65.01
PKS Sp. z o.o. w Grójcu	100.00	98.96	98.81	*34.74*	100.00	100.00
Morspol S.A. w Warszawie	100.00	100.00	100.00	100.00	100.00	100.00
PRD-M Sp. z o.o. w Płońsku	100.00	80.00	60.84	*52.26*	60.96	69.57
ZTE RADOM Sp. z o.o.	100.00	100.00	*0.00*	0.00	100.00	100.00
BSiPB MSW Sp. z o.o. w Warszawie	100.00	100.00	x	x	x	x
PKS Sp. z o.o. w Grodzisku Maz.	100.00	100.00	100.00	*50.00*	50.07	50.00
Tarczyn Sp. z o.o.	0.00	0.00	0.00	0.00	0.00	0.00
Ostrada Sp. z o.o. w Ostrołęce	100.00	91.87	100.00	100.00	100.00	*100.00*
Elmet Sp. z o.o. w Warszawie	80.00	95.00	x	x	0.00	0.00
ZTiSZE Sp. z o.o. w Warszawie	100.00	45.80	*100.00*	19.38	14.49	0.00
Geokart Sp. z o.o. w Warszawie	100.00	100.00	92.05	63.78	76.55	30.48
Polmos S.A. w Warszawie	8.58	*0.00*	0.00	0.00	0.00	0.00
Polsport Sp. z o.o. w Górze Kalwarii	100.00	100.00	***100.00***	0.00	100.00	100.00
Biprodrzew S.A. w Warszawie	8.00	8.00	***x***	x	8.00	8.00
Bipromel Sp. z o.o. w Warszawie	100.00	100.00	100.00	100.00	100.00	100.00
Descriptive statistics						
Number of entities	15	15	15	15	15	15
Arithmetic mean	87.24	81.11	75.45	47.17	68.91	66.44
Standard deviation	33.72	35.91	40.49	39.85	38.23	40.47
Minimum	0.00	0.00	0.00	0.00	0.00	0.00
Maximum	100.00	100.00	100.00	100.00	100.00	100.00
First quartile	100.00	85.94	70.42	9.69	48.31	40.24
Median	100.00	100.00	100.00	50.00	85.10	81.57
Third quartile	100.00	100.00	100.00	82.50	100.00	100.00

Symbols:
"bold" - the year of the company's payment of all liabilities to the State Treasury for using the state-owned enterprise against payment;
"*italics*" - the year of transfer of the ownership of the enterprise;
"x" - net loss;
"pole" - coverage of losses from the previous years;
"pole" - transfer of a part of the net profit to reserve capital.

Source: own calculations based on date of National Court Register.

In the research period, 2 of 21 companies using state–owned enterprises against payment – *Wyszkowskie Centrum Materiałów Budowlanych Sp. z o.o.* and *Tarczyn Sp. z o.o.* – never contributed to supplementary capital.

The company – *Tarczyn Sp. z o.o.* – which generated positive financial results in the research period, allocated the net profit to reserve capital. From the period t = 1 the company – *Polmos S.A.* – allocated all of the net profit to reserve capital after the payment of dividend. The company – *Biprodrzew S.A.* – allocated 8% of the net profit generated in a given year to supplementary capital as required by law (see Ustawa z dnia 15 września 2000 r., Article 396 §1).

In period t = 0 (the year of privatisation) seventeen companies using state–owned enterprises against payment allocated at least 80% of the net profit generated in a given year to supplementary capital. In the following two years after the year of privatisation fifteen companies allocated more than 80% of the net profit generated in a given year to supplementary capital. In each of the two years ten companies allocated more than 80% of the net profit to supplementary capital. After the period t = 3 eight companies using state–owned enterprises against payment allocated more than 80% of the net profit to supplementary capital.

Three companies using state–owned enterprises against payment – *Przedsiębiorstwo Robót Inżynieryjno-Drogowych Sp. z o.o. w Grójcu*, *Morspol S.A.* and *Bipromel Sp. z o.o.* – allocated all of the net profit to supplementary capital in each year of the research period.

In fifteen companies using state–owned enterprises against payment which generated positive financial results the arithmetic mean of the part of net profit allocated to supplementary capital was between 47.17% and 87.24%. The arithmetic mean successively decreased apart from the fourth period after the year of privatisation. The lowest value of the arithmetic mean of the part of net profit allocated to supplementary capital was in period t = 3, and the biggest difference of the value was in period t = 2. In the third period after the year of privatisation every second company allocated not more than 50% of the net profit in the given year to supplementary capital (see table 3).

After the payment of dividend and supplementary and/or reserve capital contribution, some companies using state–owned enterprises against payment allocated the remaining part of the net profit to the Company Social Benefits Fund (*Elmet Sp. z o.o.*) or to bonuses for management board members (*Biprodrzew S.A.*). Six of the surveyed companies covered losses from previous years from the net profit generated in a given year, including losses resulting from created provisions for employee benefits, i.e. retirement and pension benefits, jubilee bonuses (*Zakład Transportu*

Energetyki „ZTiSZE" Sp. z o.o, Zakład Transportu Energetyki Radom Sp. z o.o.).

Conclusions

In the year of privatisation and in the period of two years after the year of privatisation every second company of fifteen surveyed companies using state–owned enterprise against payment did not pay dividends, transferring all of retained earnings to supplementary capital. The crucial factor determining net profit distribution in the surveyed companies was the will and/or the need to obtain exemption from the debt arising from deferral of additional fees. In the third period after the year of privatisation, which is after the period when the majority of companies using state–owned enterprises against payment was exempted from the debt arising from deferral of additional fees, every second surveyed company allocated not more than 25.87% of the net profit to the payment of dividend and not more than 50% of the net profit to supplementary capital. In the next two periods every second company using state–owned enterprise against payment did not pay dividends, transferring not more than 86% of the generated net profit to supplementary capital.

The average values of part of the net profit allocated to the payment of dividend and part of the net profit allocated to supplementary capital, characterized by opposite trends in the third period after the year of privatisation, had the greatest rate of change. In the period t = 4 the value of the arithmetic mean of the part of net profit allocated to the payment of dividend decreased to the level higher than in the period preceding the year t = 3, while value of the arithmetic mean of the part of net profit allocated to supplementary capital increased to the level lower than in the year t = 3.

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