



Fundusze Europejskie

Legal residence in Poland, part 1



Fundusze Europejskie
dla Lubuskiego



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Lubuskie
Warte zachodu

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WE PROVIDE FREE SERVICES

Polish Language Course

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concerning: individual issues related to residence and work in Poland: the education system, health, social security including social benefits, transportation, taxes and other matters of daily life in the new country, the rules for the continuation of legal residence in Poland, legal work and employment of third-country nationals.

Sworn translation of documents

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Professional training

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Information and adaption meetings

Career counseling

WE INVITE YOU



Dear Ladies and Gentlemen,

We are giving you an educational brochure on the rights and obligations of foreigners staying in Poland. This publication was created with the aim of facilitating your daily life in a new country - a place that may be becoming your new home.

The information collected here will help you understand the most important aspects of life in Poland - both formal and legal, social and customary. We hope that the information it contains will make it easier for you to adapt and function in our country on a daily basis.

If, after reading the brochure, you have doubts about the presented regulations or need additional assistance, we encourage you to contact the Center for Integration of Foreigners Zielona Góra (CIC). At the CIC you will receive free and professional assistance from first contact assistants. In addition, at the Center you have the opportunity to use computers and access the Internet, which can be helpful in dealing with official matters or searching for information.

Remember that knowing your rights and responsibilities is key to full integration and comfort in your new environment.

We wish you good luck and success in Poland.

The team of the Center for Integration of Foreigners Zielona Góra



Legal residence in Poland, part 1



Poland is a country that attracts many foreigners - be they tourists, students or workers. In order to stay legally in Poland, certain legal requirements must be met. This brochure provides basic information on legalizing your stay in Poland.

Legal residence of foreigners in Poland begins with their entry into the country. Third-country nationals can legally enter Poland on the basis of a visa, a valid visa-free regime or a residence permit from any EU country (permanent or temporary).

Regarding visas for entry to Poland, we are guided by the **Decree of the Minister of Social Welfare and Administrative Affairs of May 25, 2021 on visa requirements for foreigners and the Decree on Foreigners. Section IV visas.**

A visa is a document issued at a Polish consulate in a foreigner's home country for the purpose of arrival in Poland. A visa entitles, during the period of its validity, **to enter or entries in the territory of the Republic of Poland and stay or stays lasting in total more than 90 days but less than one year.** The exact permissible number of days of stay possible in each case is indicated on the visa sticker under the heading "duration of stay."

TYPES OF VISAS:

- **Airport transit visa (type A)** - is issued to citizens of several countries (Afghanistan, Bangladesh, Democratic Republic of Congo, Eritrea, Ethiopia, Ghana, Iran, Iraq, Nigeria, Pakistan, Somalia, Sri Lanka) - for the sole purpose of transit through the international zone of an airport located in the Schengen zone.
- **Schengen visa (type C - tourist)** - is issued to persons intending to stay in Poland or other Schengen countries for a maximum of 90 days within each 180-day period. This means that you can legally stay on it only if your stay in the countries of the zone during the last 180 days has not exceeded 90 days. You can apply for a Schengen visa at a Polish diplomatic mission if: - Poland is the only purpose of your visit to the Schengen zone; - if you want to visit more than one Schengen zone country, but Poland is the main purpose of your trip; - if you cannot decide which Schengen zone country is the main purpose of your trip, but the first country whose border you cross in the Schengen zone is Poland.

- **National visa (type D)** - apply for this type of visa if you want to stay in Poland for more than 90 days. However, the validity of this visa cannot exceed 1 year (i.e. a maximum of 365 days). The validity of such a visa depends on the purpose of entry to Poland. The purpose of entry can be for study, work, family members, the Polish Charter, repatriation. A national visa also entitles you to legally travel to other countries of the EU 90/180 Schengen Area. There are 23 types of D visas (work, study, Pole Card, etc.). However, **D01** (tourist) and **D20** (temporary protection) visas **do not to authorize work**, even if the foreigner has a work permit.

Reasons for visa refusal:

- the foreigner has violated EU law and his/her data is in the SIS database (entered for smuggling or illegal stay in the EU)
- previous violations on Polish territory (includes unpaid fines)
- false work permit
- improper use of previous visas.

In case of visa refusal, if you have a visa-free passport and a valid visa-free entry, you can enter Poland.

Note that the possibility of official employment under visa-free travel is currently possible only for citizens of Ukraine and only in Poland. This standard does not apply to other Schengen countries.

During your legal stay in Poland, you can apply for a temporary residence permit and obtain a temporary residence card for up to 3 years.

A residence card is a document that allows a foreigner to stay in Poland. While a visa is usually issued by a Polish consulate in the foreigner's country of origin, a residence card is issued in Poland by the relevant provincial governor. If a foreigner has a residence card, he or she does not need to apply for a visa. A residence card, during its validity period, confirms a foreigner's identity in the territory of the Republic of Poland and entitles him, together with a travel document, to cross the border multiple times without having to obtain a visa. In addition, it allows travel in other Schengen countries.

In the application, the main purpose of the declared stay in Poland should be correctly indicated, and this purpose should **justify a stay longer than 3 months**. The choice of this purpose affects the type of permit that can be granted to the foreigner.

- You must fill out the application in **Polish**, in capital letters.
- **IMPORTANT:** If you do not enter an answer to a question, write N/A or make a dash or cross out the boxes. Under no circumstances leave a blank field without any answer.
- Before you start filling out the form, prepare your passport, exact address of residence, details of your family members living in Poland, details of your foreign travels and stays in Poland.
- If the main purpose of your stay is work, your application for a residence permit must be accompanied by Attachment No.1 completed and legibly signed by your employer.
- If the main purpose of your stay is work in a highly qualified profession (so-called Blue Card), your application for a residence permit must be accompanied by Attachment No. 1 completed and legibly signed by your employer and

Attachment No. 2, which you fill out and sign yourself.

- You do not always apply on your own behalf. If you are applying on behalf of a minor child, then do not enter your own specimen signature in the box in Part D.
- Remember that a separate application must be submitted on behalf of each child regardless of age.

“Red stamp” in the passport is confirmation that the foreigner has applied for a temporary residence permit. It will be



placed in the passport after a request for fingerprinting. It gives the right to legally stay and work in Poland (*art.108 of the Law on Foreigners*). However, without a card, visa or visa-free travel, you cannot travel with it. You can travel with him to the country of citizenship, but to return to Poland you need a visa or visa-free travel.

Decision - a letter from the governor containing a decision on the foreigner's documents submitted to the Office for Foreigners. The decision may be positive or negative. The case may also be left adjudicated because the documents were not submitted on time.

The most important rules for legal residency:

- always check the validity of residency documents.
- extension of stay should be done before the expiration date of the visa or residence card.
- those who are working must have the appropriate work permit, if required.
- if you change your place of residence or work, you must notify the relevant authorities.

Types of residence permits:

1. for work

- temporary residence and work permit for foreigners employed in Poland including and blue card.
- residence permit for self-employed persons.

2. for study

- residence permit for university students.
- residence for participants in language courses and training.

3. for reasons of family life

- residence permit for family members of a Polish citizen or a foreigner already holding a residence card.

4. permanent residence and long-term residence of the EU

- possibility to obtain a permanent residence card after meeting certain conditions, such as several years of legal residence in Poland.
- status of long-term EU resident for those who have resided in Poland legally for at least 5 years.



Arrival of EU citizens in Poland and the rules for their legal stay.

According to art.3 item 2 of the Law on Foreigners of December 12, 2013, any person who does not have Polish citizenship is considered a foreigner.

Important! If an EU citizen stays in Poland for more than 3 months, he is required to register his stay in Poland. According to Article.15 of the Treaty on the Functioning of the European Union, registration applies to:

1. citizens of countries of the European Economic Area that are not part of the EU (Iceland, Liechtenstein, Norway)
2. citizens of countries that are not members of the Agreement on the European Economic Area and enjoy freedom of movement of persons on the basis of agreements (Switzerland, the United Kingdom - with the exception of the Channel Islands and the Isle of Man).

There is a separate department in the Provincial Office dealing with EU citizens. Application for registration of residence (NOTE! - you must submit the application in person, but you can authorize someone to collect the certificate of registration of residence); you can download the form at the **Passports and Migration Department in Gorzow Wlkp. or Passports Department in Zielona Gora** or on the homepage of the Lubuskie Provincial Office; The residence card is issued for a period of 10 years. The



application for residence registration is free of charge.

Required documents:



Family members of an EU citizen who have applied for registration can obtain a residence card of a family member of an EU citizen. The residence card of a family member of an EU citizen is:

- free of charge
- issued for a period of 5 years
- with access to the labor market
- after 5 years of residence on this card, permanent residence can be obtained.

Required Documents:



Legalization of children's residence

Children born in Poland.

On their first day of life, children are considered illegal immigrants and are in Poland illegally. Their legal status depends on the type of documents held by the parents. Within 21 days of birth, the child must obtain a birth certificate, otherwise the city office will give the child its own name.

If the child is a citizen of a country with visa-free travel between Poland and the EU, they have visa-free travel, so they can obtain a passport in Poland and apply for a residence card within 90 days. If the deadlines are tight and the passport is not yet ready, you can collect a package of documents without a passport and apply for a temporary residence card, and present a ready passport when verifying the originals. In the application, you must provide the date of entry with the date of birth.

If the child was born while one of the parents has a long-term EU resident card or is waiting for one, or during permanent residence with one of the parents, the

child can apply for permanent residence. If the child was born during a temporary stay with one parent, and that parent subsequently obtained a long-term EU resident card, the child can apply for permanent residency. If the child has a Pole Card, the application for permanent residency is free.

Legalization of residency is a key step for people who want to live, work, study or learn in Poland, also giving them access to public

benefits such as health care or the right to work.

It's worth remembering that choosing the right form of legalization should be tailored to your individual needs and personal and professional situation. As you can see, there are many options. Before you make a decision, it is advisable to thoroughly familiarize yourself with the rules and requirements for each form of legalization.



Lack of proven and up-to-date knowledge on the subject can lead to problems in obtaining legal status, which can consequently limit your opportunities in Poland. That's why it's worth taking the time to understand all aspects of legalizing your residency in order to fully enjoy life in our country!

If you need detailed information about the process or assistance with your application, come to the Center for Integration of Foreigners Zielona Góra or the Center that is right for you due to your residence, work or studies.



NOTES

[illegible]

IMPORTANT

Note: The educational brochure is not a source of law.

The authors have made every effort to ensure that the content of the brochure is in compliance with applicable laws. However, please note that the publication deals with typical situations and the most common cases, so it may not fully apply to individual cases.

The number and type of documents that may be requested by administrative authorities in the course of proceedings to legalize residence and work in POLAND, health and education cases may differ from those given in the brochure, depending on the specific case.

In case of any doubt, it is recommended:

- contact the relevant administrative body (e.g., Provincial Office, Office for Foreigners),
- familiarize yourself with the law,
- take advantage of the free assistance of the Center for Integration of Foreigners in Zielona Góra.



DEVELOPMENT:



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CONTACT:



EDUCATIONAL BROCHURE

COPY FREE OF CHARGE

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