



Fundusze Europejskie

Legal residence in Poland, part 2



Fundusze Europejskie
dla Lubuskiego



Rzeczpospolita
Polska

Dofinansowane przez
Unię Europejską



Lubuskie
Warte zachodu

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WE PROVIDE FREE SERVICES

Polish Language Course

at the level: from A1 to B2

Sworn translation of documents

First Contact Assistant Support

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.

Legal advice

Professional training

Psychological advice

Integration meetings

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 2



Temporary residence permit for the purpose of WORK EXPERIENCE - Art.114 of the Law on Foreigners

It is issued for a period of up to 3 years. The period depends on the dates entered in attachment 1 issued by the employer. Such a residence card entitles the foreigner to work for the employer indicated in the decision. If a foreigner is exempt from the work permit requirement and obtains a residence card without indicating an employer (the employer is not specified in the decision), he can work for any employer under this card. The most important thing, however, is that after being laid off or changing employers, the foreigner is obliged to notify the office that issued the residence card of the termination of employment with employer A and employment with employer B. If the foreigner does not find another job within 30 days, the provincial governor may initiate the procedure for revoking the residence card, of which the foreigner will be informed (*Article 121 of the Law on Foreigners of December 12, 2013*). Applications for granting a foreigner a temporary residence permit in Lubuskie province can be submitted by mail to the following address:

Legalization of residence in Poland means obtaining the right to stay in the territory of the Republic of Poland by a foreigner who is not a citizen of the European Union. Depending on the life situation, residency can be legalized in various ways - below we explain the most important forms of legalization:

Lubuski Urząd Wojewódzki w Gorzowie
Wielkopolskim Wydział Spraw Obywatelskich
i Cudzoziemców Oddział Cudzoziemców
ul. Jagiellończyka 8, 66-400 Gorzów
Wielkopolski

in person at the registry or electronically
via the MOS system (case handling modul) -
<https://www.mos.cudzoziemcy.gov.pl/en>
Documents required to submit an
application for a temporary residence and
work permit :



IN CASE OF LOSS OF WORK ALL foreign
nationals (INCLUDING PERSONS WHO HAVE
COMPLETED A SECONDARY SCHOOL OR
STUDY) are required to notify the Office
within 15 working days after the loss of
work. However, currently only citizens of
Ukraine are exempt from the amendment
requirement.

As long as the foreigner has not yet received
the decision, he/she has the right to change
employers without notifying the Office for
Foreigners. All that needs to be provided
is a new work permit - if not exempted,

a new contract from the employer, ZUS
ZUA and ZUS RCA reports, Annexure 1,
an opinion from the starost (if required).
If family members have also applied for
a card from the main applicant and have
not yet received a residence permit, they
should attach copies of the main applicant's
documents to their documents.

There are a few exceptions in which there
is no need to change the decision: the
position has changed, but the duties remain
the same; when a foreigner worked in a
certain position on the basis of a contract
of mandate, and after receiving a residence
card he received a contract of employment
and everything remained the same (the
salary changes in proportion to the number
of hours).

In the case of a change of job with a
residence card issued on the basis of work,
it is necessary to inform the Office by mail
about the loss of work within 15 working
days, and within 30 days of release find
another job and apply for another card or
change of decision.

In what cases it is possible to refuse to change the decision:

1. if the foreigner did not inform the office about the termination of work within 15 working days
2. if the foreigner has not resubmitted documents within 30 days
3. if the salary is lower than the minimum.

If a foreigner has a residence card from work and plans to start a business, then it is not possible to change the decision. It is necessary to apply for a new card from business.

If a foreigner already has a residence card from work and has lost that job, and intends to obtain a family reunification residence card, he should also submit a new set of documents to obtain a new residence card.

Temporary residence permit to PROVIDE ECONOMIC ACTIVITY - Article 142 of the Law on Foreigners.

The nuances of obtaining a residence card:

- income must be no less than 12 times the average monthly salary in the province. If there is no such possibility, you must:

- employ 2 Polish citizens or 2 foreigners with a Pole's Card on full employment terms
- business plan

Citizens of Ukraine are currently exempt from such criteria.

Documents required to apply for a temporary residence permit for business:



Temporary residence permit for the purpose of WORKING IN A HIGHLY QUALIFIED PROFESSION (Blue Card) - Art.127 of the Law on Foreigners.

It is issued for a maximum period of 3 years.

Requirements:

- The profession is on the list of professions in demand in the EU (there is a separate regulation with an approved list - IT specialists, engineers, marketers, directors).
- Salary should be at least 150% of the average salary in Poland in the previous year.

- Work experience must be evidenced by 5 years of work or 3 years of higher education in the field where the applicant is employed and applies for a blue card.

Documents required to apply for a temporary residence permit due to work in a highly skilled occupation:



Advantages of blue card:

- Family members can apply for “family reunion” resident card, not after other circumstances
- Blue card holders can move to another EU country
- To apply for an EU long-term resident permit, you only need to provide the last 2 years.
- Stays in other countries are added up for EU long-term resident stay time.

If a foreigner has a blue card for less than 2 years, he or she is obliged to inform the office if he or she loses his or her job, and within 30 days apply for another card or request a change of decision.

If a foreigner has a blue card for more than 2 years, it is sufficient to inform the office within 15 days in case of job loss or change of employer.

Temporary residence permit for the purpose of EDUCATION (for students/ students) - Art. 144 of the Law on Foreigners

The application is submitted by students or students of high schools or post-secondary schools. In the case of a prospective resident card, the student’s stay on the residence card is divided into two - i.e., 5 years of study - and 2.5 years of legal residence are counted. For university students, the residence card is issued with access to the labour market.

Documents required to apply for a temporary residence permit for education:



If a foreigner is excluded from the university, it is necessary to resubmit the documents and change the purpose of stay.

For post-secondary schools, a residency card is issued for the duration of study at the school. A stay with such a card does not count as a resident. The package of documents is the same as for students. However, the residency card does not allow access to the labour market.

Temporary residence permit for the purpose of FAMILY RELATIONS - Art.159. of the Law on Foreigners.

The permit is issued for a maximum of 3 years with access to the labour market. If a foreigner has such a card, he has the right to work in any occupation without a work permit.

You can apply for such a card if:

- you are a husband/wife married to a foreigner residing in Poland for 2 years with a residence card
- your spouse is a Polish citizen or a foreigner who has a permanent residence card, a Pole's card or a resident's card (or has just applied for one of the above cards)
- spouse of a foreigner who holds a residence card due to the conduct of scientific activities

- husband/wife married to a foreigner who resides in Poland on the basis of a Blue Card or has just applied to obtain one.

The "family reunion" card is issued without indicating the employer, so there is no need to notify the governor of the loss of employment. On the basis of such a card, it is possible to carry out business activities.

Documents required to apply for a temporary residence permit for family reunification:



Temporary residence permits due to OTHER Circumstances - Art.186. of the Law on Foreigners.

The permit is issued for a maximum of 3 years without access to the labour market. For employment, a work permit must be obtained. It is also not possible to start a business, but a company can be established.



Legalization of children's residence in Poland

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

Permanent residence permit Art. 195-211 of the Law on Foreigners

Foreigners who meet one of the following conditions may apply for a permanent residence card:

- have Polish ancestry or a Pole's Card.
- Are the child of a foreigner with permanent residency or a citizen of the Republic of Poland.
- are the spouse of a citizen of the Republic of Poland for at least 3 years and have

previously resided legally in Poland for 2 years.

- have been granted refugee status or subsidiary protection and have resided in Poland for at least 5 years.

Persons holding a permanent residence card:

- can legally work in Poland without an additional permit.
- have access to the health care and education systems.
- can travel to other Schengen countries without a visa (up to 90 days within 180 days).
- after 3 years of obtaining the card, they can apply for Polish citizenship.

To apply for permanent residency, you need to prepare:

- a completed application for permanent residence.
- a valid passport.
- documents confirming the fulfilment of one of the conditions for residence (e.g., marriage certificate, decision on temporary residence, Pole's Card).
- confirmation of a regular source of income and residence.

- proof of payment of stamp duty (PLN 640).

Documents required to apply for a permanent residence permit:



The processing time is up to **6 months**. In some cases, this time may be extended. **After a positive decision**, the foreigner receives a permanent residence card valid for 10 years. Holders of a permanent residence card can apply for Polish citizenship after meeting additional conditions.

Residence permit for a long-term EU resident - Articles 211-213 of the Law on Foreigners.

Long-term EU resident status allows foreigners to reside in Poland on a long-term basis and enjoy many rights similar to those of EU citizens.

Foreigners who meet the following conditions may apply for EU long-term resident status:

- reside in Poland legally and continuously for at least **5 years** on the basis of a valid temporary residence permit.
- have a **stable and regular source of income** sufficient to support themselves and their family members (for at least the last 3 years before applying).
- have **health insurance** in Poland.
- demonstrate knowledge of the Polish language at **B1** level (confirmed by an official certificate or a school leaving certificate in Poland).

Persons with the status of a long-term EU resident in Poland:

- can legally work in Poland without an additional permit.
- are entitled to benefit from the health care and education system on the same terms as Polish citizens.
- can travel to other Schengen countries without a visa (up to 90 days within 180 days).
- can conduct business on the same terms as Polish citizens.
- after 3 years of obtaining the card, they can apply for Polish citizenship.

Documents required to apply for a permanent residence permit:



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.

Where to look for help and information?

It's a good idea to seek up-to-date information, as the laws regarding legalization of residency can change. Misinformation or taking advice from incompetent advisors can lead to serious problems such as denial of residence permits or even deportation. That's why it's important to inquire with reliable sources that are up to date on the regulations and can provide reliable information. This gives you the confidence that you are making the right decisions in your journey to legalize your stay in Poland.

You can seek support in continuing to legalize your stay in Poland in several places - depending on your situation (e.g. whether you are a student, employee, family member of an EU citizen, etc.).

Here are the main sources of assistance:

1. The Provincial Office(Urząd

Wojewódzki): this is the main institution responsible for legalizing the stay of foreigners in each province. This office is usually in the provincial capitals, in our

province it is in Gorzow Wielkopolski. On the website of the relevant provincial office you will find instructions and forms. Type into the search engine the name: provincial office and the name of the province you are in, you will find the appropriate page.

In our province it is:

**Lubuski Urząd Wojewódzki -
gov.pl/web/uw-lubuski**

2. The Center for Integration of Foreigners (CIC) is an entity that supports foreigners in Poland, they offer free assistance in legalization of stay, social integration and professional activation. Centers are being established in each province, creating a coherent network of support in the country. In our province we are! Center for Integration of Foreigners Zielona Góra.



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:



WOJEWÓDZKI URZĄD PRACY
W ZIELONEJ GÓRZE



Wojewódzki Urząd Pracy w Zielonej Górze



wupzielonagora.praca.gov.pl

FOR IMMEDIATE RELEASE TO THE PUBLIC:



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CONTACT:



EDUCATIONAL BROCHURE

COPY FREE OF CHARGE

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