

# Upcoming changes do the Special Act on assistance to citizens of Ukraine



## ADVOCACY CONTEXT

- ◆ The new Polish government is working on an amendment to the Ukrainian special act, which assumes the extension of the stay of Ukrainian refugees until March 4, 2025. It will be submitted to the Sejm in the coming weeks.
- ◆ Pursuant to the Act of March 12, 2022 on assistance to citizens of Ukraine in connection with an armed conflict in the territory of this country, refugees from Ukraine may legally stay in Poland and benefit from protection only until March 4, 2024.
- ◆ EU regulations oblige us to extend the temporary protection of Ukrainian refugees for another year. The Ministry of Interior and Administration (MSWiA) declares that Polish regulations will be adapted to the EU ones.
- ◆ According to media outlets the planned changes will initially extend the validity of protection under the Special Act in current form by 6 months (until September), during which the government will prepare a new draft with amended rules.
- ◆ Public consultations planned but no draft law was published yet
- ◆ Major changes are to be expected regarding access to social benefits and the level of those benefits (probably including the most popular 500+ per child benefit)
- ◆ Assistance will be further restricted to be limited exclusively to persons with disabilities, sick persons and persons dependent on caregivers
- ◆ Possible cessation/loss of protection status in relation to persons leaving Poland - no details given

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## Problems identified in the current version of Special Act, that should be amended:

- ◆ Recurring and continued problems with unjustified loss of status when a person is leaving Poland for a period not exceeding the statutory deadline of 30 days
  - introducing an alternative to diia.pl
  - app alerts on the elapsing deadline for external travel
  - registering the reentry to Poland of those travelling via Schengen borders (for example back from Turkey via Italy)
- ◆ Temporary residence permit for children and spouses of the permit holder
- ◆ Introducing an obligation of employment based on written contract, and an obligatory translated version for the foreigner
- ◆ The legal consequences of lack of notification of employment of a Ukrainian citizen
- ◆ Obligation of informing the foreigner reentering to state the reason for coming into Poland
- ◆ The deadline of registering for PESEL UKR (30 days) is instructional only, but in practice: strict deadline
- ◆ Ukrainian driver's license recognition
- ◆ Nostrification of Ukrainian psychologists diplomas