

Extending the stay of third-country nationals fleeing the war in Ukraine in Poland

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Plan of the presentation

- Basic information regarding the rights of third- country nationals in Poland;
- Possibilities of extending the stay in Poland granted by the Act on Foreigners on the basis of:
 - ✓ Work;
 - ✓ Studies;
 - ✓ Education;
 - ✓ Family reunification;
 - ✓ Other circumstances.

Rights of third-country Nationals fleeing to Poland:

- Legal stay for 15 days after crossing;
- Extension of the stay is possible only if the person applies for temporary residency permit or for international protection;
- Right to use the services of the reception centres, help of NGOs and other organizations;
- No right to use free public transport in cities and railway;
- No access to medical insurance;
- Possibility to apply for assisted return with IOM.

Applying for Temporary Residency permit

- The application must be submitted during the TCN's legal stay – during the 15 days;
- Submitting the application with basic documents (application, photos, copy of the passport, confirmation of paying the fee) extends the legal stay automatically;
- Application can be handed in or sent by post to the voivodeship office competent for the place of residence;
- Giving finger-prints is a part of the procedure;
- Voivodeship office communicates with foreigners by post – foreigners should notify the office about changes of their address immediately;

Applying for temporary residency permit

- The decision should be given within 60 days, but in practice it often takes longer;
- All the documents submitted to the immigration office must be issued in Polish or translated (sworn translation);
- It is important to communicate with the voivodeship office during the procedure – regularly check the mailbox and reply to their letters, keep deadlines.

Residency permit based on work

- The TCN needs to have a job offer – the employer needs to fill in a part of the application form;

The required documents:

- The application form;
- 4 passport photos;
- A copy of the passport;
- Confirmation of paying the administrative fee – 440 PLN
- Medical insurance covering the medical expenses for min. 30 000 euro;
- Confirmation of the address – registration or housing contract;
- The labour market test – must be provided by the employer.

Residency permit based on studies

The foreigner applying for this permit must be already enrolled in a study programme.

The required documents:

- The application form;
- 4 passport photos;
- A copy of the passport;
- Confirmation of paying the administrative fee – 340 PLN
- Confirmation of enrollment;
- Confirmation of paying the university fee;

Residency permit based on studies

- Medical insurance covering the medical expenses for min. 30 000 euro;
- Confirmation of the address – registration or housing contract;
- Confirmation of possessing sufficient funds on the bank account:
 - 776 PLN x15 months;
 - Funds to cover the travel home: 200 PLN for the countries neighbouring Poland; 500 PLN for EU countries; 2500 PLN for other countries;
 - Funds to cover university fees if not paid.

Residency permit based on education

Education: post-secondary school, vocational training, specialized schools and courses, intensive Polish language courses.

The required documents:

- The application form;
- 4 passport photos;
- A copy of the passport;
- Confirmation of paying the administrative fee – 340 PLN
- Confirmation of enrollment;
- Confirmation of paying the school fee;

Residency permit based on education

- Medical insurance covering the medical expenses for min. 30 000 euro;
- Confirmation of the address – registration or housing contract;
- Confirmation of possessing sufficient funds on the bank account:
 - 776 PLN x duration of the course, study programme;
 - Funds to cover the travel home: 200 PLN for the countries neighbouring Poland; 500 PLN for EU countries; 2500 PLN for other countries;
 - Funds to cover university fees if not paid.

Residency permit based on family reunification

The definition of the family is very narrow – spouses + children under 18 years old.

The required documents:

- The application form;
- 4 passport photos;
- A copy of the passport;
- Confirmation of paying the administrative fee – 340 PLN
- Marriage certificate/birth certificates translated to Polish;
- Medical insurance covering the medical expenses for min. 30 000 euro;

Residency permit based on family reunification

- Confirmation of the address – registration or housing contract;
- Confirmation of possessing stable and regular source of income – at least 600 PLN per person in the family per month – for instance, though proof of employment of one of the family members.

Residency permit based on other circumstances

Other circumstances: informal relationship, undergoing medical treatment, reunification with relatives, etc.

The required documents:

- The application form;
- 4 passport photos;
- A copy of the passport;
- Confirmation of paying the administrative fee – 340 PLN
- Medical insurance covering the medical expenses for min. 30 000 euro;
- Documents confirming other circumstances;

Residency permit based on other circumstances

- Confirmation of the address – registration or housing contract;
- Confirmation of possessing stable and regular source of income – at least 600 PLN per person in the family per month – for instance, through sponsoring.

Useful contacts

IOM Migrant Info Infoline: **22 490 20 44**; works between Monday and Friday 9- 17

Free legal advice:

Association for legal intervention: <https://interwencjaprawna.pl/en/>

Polish Migration Forum: <https://forummigracyjne.org/>

Helsinki Foundation for Human Rights: <https://www.hfhr.pl/en/>

Ocalenie Fund: <https://en.ocalenie.org.pl/>