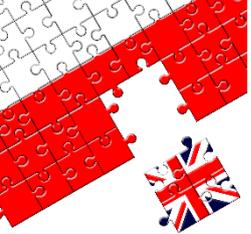
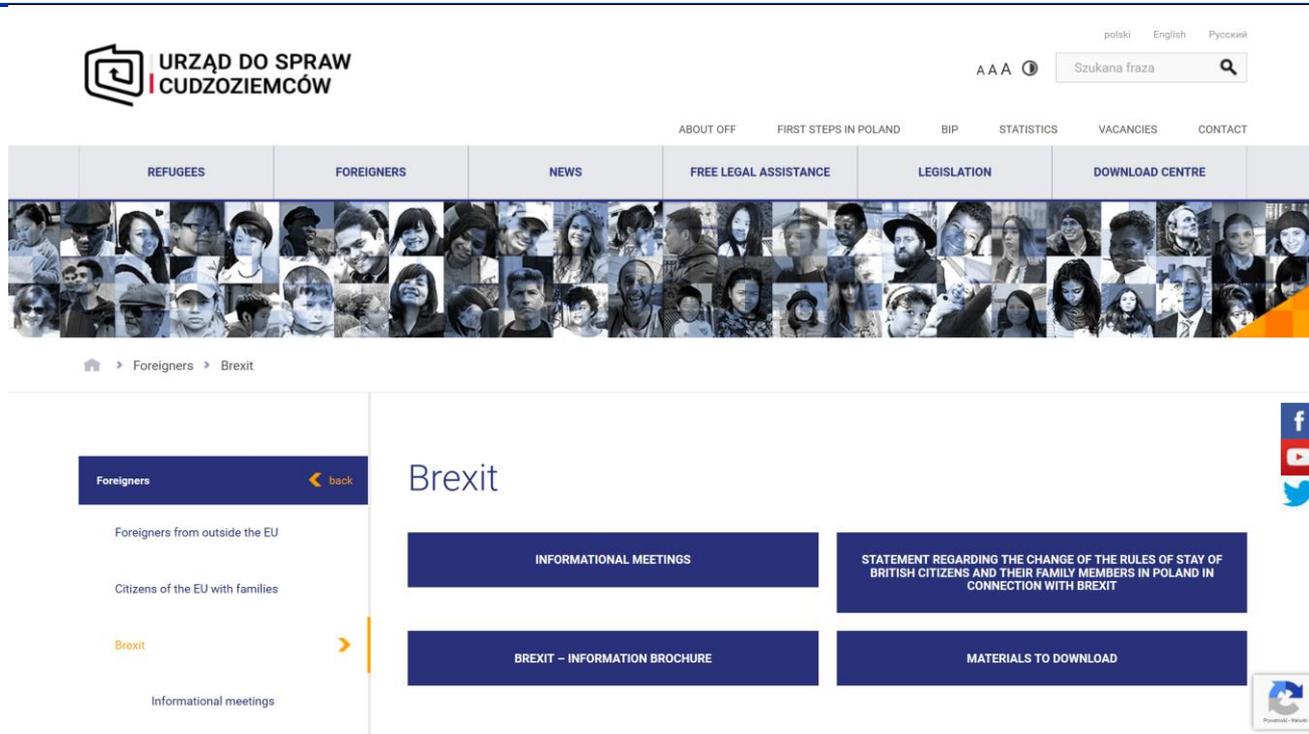


Residence procedures for „Withdrawal Agreement” beneficiaries - UK nationals and their family members

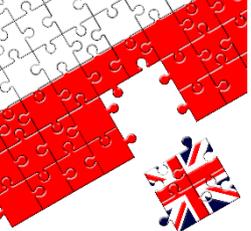


Brexit – immigration information



The screenshot shows the website of the Office for Foreigners (Urząd do Spraw Cudzoziemców). The header includes the logo and name in Polish, a search bar with the text "Szukana fraza", and language options for "polski", "English", and "Pycckий". A navigation menu contains links for "ABOUT OFF", "FIRST STEPS IN POLAND", "BIP", "STATISTICS", "VACANCIES", and "CONTACT". Below this is a secondary menu with "REFUGEES", "FOREIGNERS", "NEWS", "FREE LEGAL ASSISTANCE", "LEGISLATION", and "DOWNLOAD CENTRE". A large banner image displays a collage of diverse people's faces. The breadcrumb trail reads "Home > Foreigners > Brexit". On the left, a sidebar menu lists "Foreigners" (with a back arrow), "Foreigners from outside the EU", "Citizens of the EU with families", "Brexit" (highlighted with a right arrow), and "Informational meetings". The main content area is titled "Brexit" and features four dark blue buttons: "INFORMATIONAL MEETINGS", "STATEMENT REGARDING THE CHANGE OF THE RULES OF STAY OF BRITISH CITIZENS AND THEIR FAMILY MEMBERS IN POLAND IN CONNECTION WITH BREXIT", "BREXIT – INFORMATION BROCHURE", and "MATERIALS TO DOWNLOAD". Social media icons for Facebook, YouTube, and Twitter are on the right, and a "Przebieg choroby" icon is at the bottom right.

<https://udsc.gov.pl/en/cudzoziemcy/brexit/>



Declaratory system of confirming the residence rights – makes it easier for you

Transition period lasts till 31 December 2020. During this time the rules of stay and work of UK nationals in Poland remain unchanged.

After the end of transition period **UK nationals and their family members will have the right to reside in Poland, if:**

- they exercised the right of stay in Poland in accordance with EU law **before the end of the transitional period;**
- they still reside in Poland.

The right of permanent stay will in principle be granted after five years of uninterrupted residence (in accordance with EU law under the conditions laid down in Directive 2004/38/EC). Periods of legal residence or work in accordance with Union law falling before and after the end of the transitional period will be included in the required period of entitlement to acquire the right of permanent residence.

A document with the annotation that it was issued in accordance with the Brexit agreement **shall be a confirmation of the right of residence or right of permanent residence.**

Documents will be issued by **voivodship offices** competent for the place of stay.

Up to 31 December 2020

UK national

You are staying in Poland for over 3 months and less than 5 years



submit* to the voivodeship office an application for registration of residence (of an EU national)

You have been residing in Poland for 5 years or longer



submit* to the voivodeship office an application for a document confirming the right of permanent residence

Brexit

stay of British nationals in Poland

Family member who is not an EU or UK national

You are staying in Poland for more than 3 months and less than 5 years



submit* to the voivodeship office an application for a residence card of a family member of an EU national

You have been residing in Poland for 5 years or longer



submit* to the voivodeship office an application for a permanent residence card of a family member of an EU national

*if you have not done it yet

From 1 January to 31 December 2021 – beneficiaries of the Withdrawal Agreement

UK national

You have a certificate of registration of an EU citizen's residence or a document confirming the right of permanent residence → in the period 01.01-31.12.2021 (and before the expiry of the document), submit to the voivodeship office an application for a new document

You do not have a document confirming the registration of your stay → you were staying in Poland until 31 December 2020 and you continue your stay, which lasts over 3 months and is shorter than 5 years → immediately after 1 January 2021, submit to the voivodeship office an application for registration of stay

You do not have a document confirming the right of permanent residence → you were staying in Poland until 31 December 2020 and you continue your stay, which lasts continuously for 5 years or longer → immediately after 1 January 2021, submit an application to the voivodeship office for a document confirming the right of permanent residence

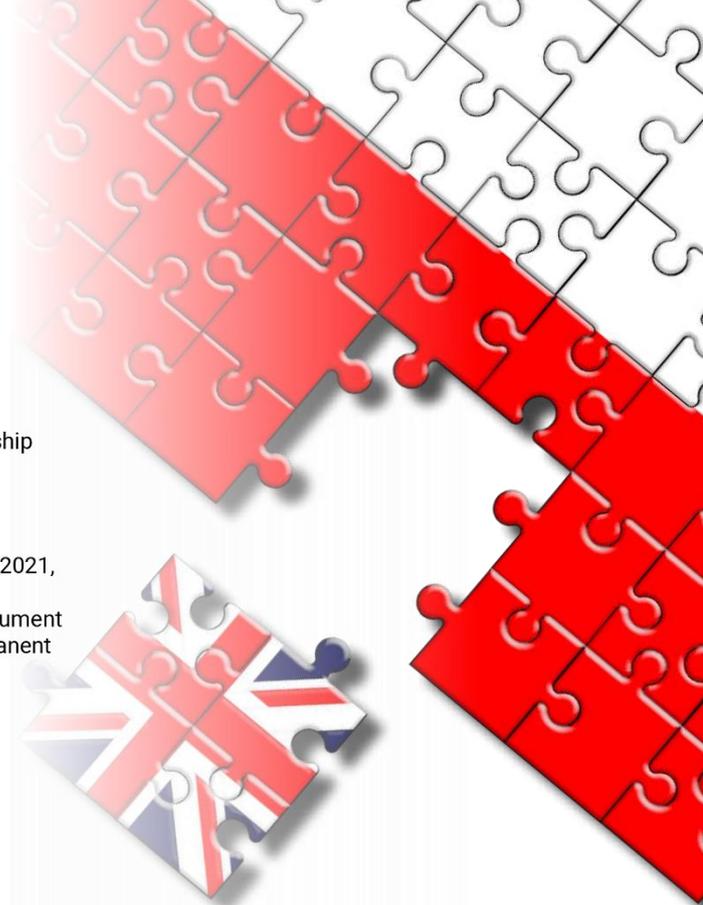
Family member who is not an EU or UK national

You have a residence card or a permanent residence card of a family member of an EU citizen → in the period 01.01-31.12.2021 (and before the document expires) submit an application to the voivodeship office for a new residence card

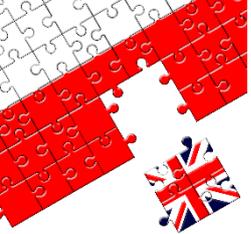
You do not have a residence card of a family member of an EU citizen → you were staying in Poland until 31 December 2020 and you continue your stay, which lasts over 3 months and is shorter than 5 years → immediately after 1 January 2021, submit an application to the voivodeship office for a residence card for a family member who is not a UK national

You do not have a permanent residence card of a family member of an EU citizen → you were staying in Poland until 31 December 2020 and you continue your stay, which lasts continuously for 5 years or more → immediately after 1 January 2021, submit an application to the voivodeship office for a permanent residence card for a family member who is not a UK national

Detailed information available at -> www.udsc.gov.pl/en/cudzoziemcy/brexit/

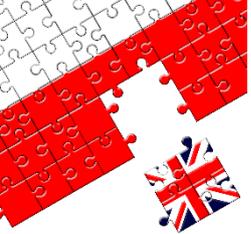


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Important

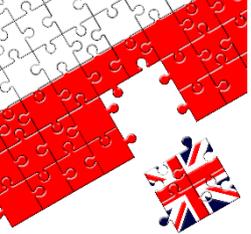
-
- **Your current documents remain valid 31 December 2021, at most.**
 - Documents issued before the end of transition period will play **important evidentiary role** when assessing whether one had enjoyed the right of stay upon the end of that period.
 - **You do not have to be present** in the territory of Poland on 31 December 2020 to enjoy the right of stay. Absences are admissible as for the purpose of obtaining the right of permanent residence.
 - Procedures for registration of stay initiated in 2020 (the application must reach the competent office in 2020) will be continued in 2021 - Certificate of application and new documents will be issued (after fingerprints are taken)



Important

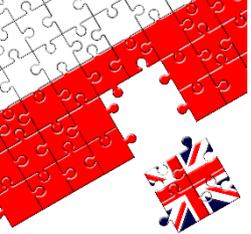
To enjoy the right of stay for periods exceeding 3 months you must meet these conditions(at least one):

- be an employee (excluding posted work) or a self-employed person working on the territory of Poland;
- have sufficient financial resources to support themselves and their family members on the territory of Poland, so as not to be a burden for social assistance, and has adequate health insurance (specified by legislation);
- be studying or undergoing vocational training in Poland and: have sufficient financial resources to support yourself and your family members on the territory of Poland, so as not to be a burden for social assistance, and hav appropriate health insurance (as above);
- be a spouse of a Polish citizen.



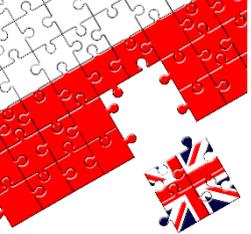
Procedural guidelines

- **Fill in the right form** - new forms for Brexit replacement documents and for dedicated documents will become available soon - Office for Foreigners and Voivodship offices websites. To be submitted from 1 January 2021
- **Schedule your visit** to the voivodship office – consult Voivodship offices websites.
- **Visit** the voivodship office– submit documents and fingerprints – all 6 y.o. and older must be present. In particularly justified cases, including e.g. the health condition the requirement to appear in person may be waived.



Procedural guidelines

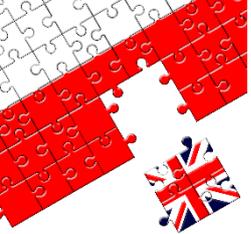
- **Receive a certificate** of submission of an application for a replacement of a document or obtaining a document for the beneficiary of the Withdrawal Agreement, valid for 1 year – makes travelling in EU easier;
- **Wait for communication** from the voivodship office to collect the new document containing the annotation referring to the Withdrawal Agreement: “Article 50 TEU, Article 18 para. 4 of the Withdrawal Agreement”:
 - certificate of registration of residence (in case of a British citizen in the case of having the right of residence; it will not apply to a certificate of registration of residence of a frontier worker);
 - document confirming the right of permanent residence (in case of a British citizen with the right of permanent residence);
 - residence card (in case of a family member who is not a British citizen and holds a residence right);
 - permanent residence card (in case of a family member who is not a British citizen and holds a permanent residence right).
- **Collect the document and enjoy** – all free of charge.



Special case - frontier workers

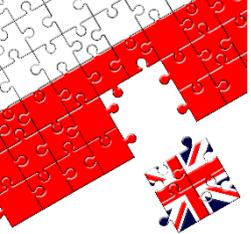
- Register your stay as a frontier worker between 1 January 2021 and 31 December 2021 if you continue to perform work or activity as frontier workers (without residing in Poland).
- You will receive a special format of a document of declaratory character.
- Failing to register within the deadline may result in a fine.

See the previous slide for procedural guidelines.



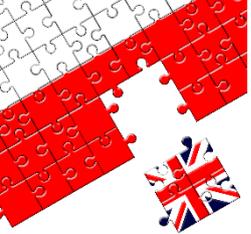
Special case – posted workers

- UK posted workers working in Poland until 31 December 2020 are outside the scope of the WA without right to remain in the Host State based on the WA.
- They will be able to apply from 1 January 2021 for a special temporary residence permit with 5 year validity – **deadline until 31 December 2021** and afterwards a permanent residence permit.
- Their stay will be legal ex lege until 31 December 2021.
- They will be also exempted from work permit requirement.
See previous slides for procedural guidelines – caution – **application for a regular residence permit.**



Special case – extended family members

- Their residence permits remain valid.
- They may reapply if they want to receive a residence permit (card) with the special annotation referring to the WA.
- Application free of charge + 50 PLN for the residence card – caution – **application for a regular residence permit.**



Travelling

<https://ec.europa.eu/info/publications/travelling>

Upon the application for replacement of document or for new residence document you will get a certificate of submission of an application for obtaining a document for the beneficiary of the Withdrawal Agreement (concerns applications submitted by 31 Dec. 2021), valid for 1 year – makes travelling in EU easier;

Coronavirus – check the current travel restrictions!!!