



GUIDE



FOR DIPLOMATIC MISSIONS
IN THE REPUBLIC OF POLAND

2019

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I. Ambassadors

Agrément, arrival and the departure of an ambassador starting or ending his/her mission to Poland

1. Agrément

The granting of agrément to a new mission head of a sending state takes place in accordance with the provisions of Articles 4, 5 and 6 of the Vienna Convention on diplomatic relations and in compliance with international customs.

The sending state usually requests agrément by diplomatic note, submitted directly to Diplomatic Protocol of the Polish MFA, or to the territorially competent Polish Embassy abroad. The candidate's CV should be attached to the note (specifying: place and date of birth, nationalities, education, professional experience, knowledge of foreign languages, family status). The procedure of granting agrément to a new head of diplomatic mission takes about six weeks.

2. VIP Lounge terms of use

Ambassadors starting or ending their missions to Poland and the persons accompanying them are entitled to use the reception rooms of the Warsaw Chopin Airport VIP Lounge free-of-charge in the 1+2 format (Ambassador and two accompanying persons travelling with him/her).

Other accompanying persons as well as persons welcoming or bidding farewell to the Ambassador may use the VIP Lounge for a fee. Diplomatic Missions should confirm the fees each time prior to making a reservation at the VIP Lounge.

Representatives of the Diplomatic Protocol are present during the arrival of Ambassadors residing in Warsaw on working days during business hours.

Welcoming in the evenings and nights each time will be agreed with the appropriate diplomatic mission. If arriving on public holidays or non-working days, no representative of the Diplomatic Protocol at the airport is expected.

In the event of the Ambassador arriving or leaving by car, a courtesy clearance is provided at a road border crossing on the Embassy's request.

The Director of the Diplomatic Protocol greets the Ambassador during a protocol visit at the Ministry of Foreign Affairs organized at the earliest convenience following the arrival.

3. Rules governing the discharge of duties in Poland by newly appointed ambassadors prior to presentation of their letters of credence

It is assumed that prior to the presentation of their letters of credence, newly appointed ambassadors, in accordance with universal custom, will not hold any official meetings with representatives of top authorities of Poland, or heads of central offices and state institutions. When taking part in any meetings, including meetings with members of the mass media, they do not act officially as ambassadors of the sending state. Moreover, they do not organize any meetings or events and do not give receptions of a public character.

4. Visits before presentation of letters of credence

Diplomatic Protocol, in collaboration with the relevant civilian and military authorities, organizes the ceremony of presentation of letters of credence by a newly appointed ambassador extraordinary and plenipotentiary to the President of the Republic of Poland, and the ceremony of wreath-laying at the Tomb of the Unknown Soldier.

At predetermined dates, the ambassador pays visits to the Director of Diplomatic Protocol and an Under-Secretary of State at the Ministry of Foreign Affairs, to whom he/she conveys copies of the letters of credence and recall.

The dates and details of the protocolar visits, audience with the President of the Republic of Poland, and ceremonies at the Presidential Palace and the Tomb of the Unknown Soldier are arranged by the embassy with the Protocolar Section of Diplomatic Protocol.

5. Ceremony of presentation of letters of credence by an ambassador extraordinary and plenipotentiary to the President of the Republic of Poland

On the day of the audience, before the appointed time, a Diplomatic Protocol representative arrives at the Embassy or the Ambassador's Residence to escort the Ambassador on his/her way to the audience. Simultaneously, two cars are dispatched

to the Embassy/Residence. In the first car, a State Protection Service officer accompanies the Ambassador during his/her ride. A pennant with Polish national colours is displayed on the right side of the car. The second car is dispatched by the President's Chancellery for the use of the Embassy's diplomatic staff who are to attend the presentation ceremony.

The Ambassador can be accompanied by his/her Spouse, adult children and diplomatic staff (a maximum of six accompanying persons). Should the Ambassador be accompanied by more than three persons, the Embassy makes available its own car.

At the Embassy/Residence, the Ambassador hands the original Letters of Credence to the Diplomatic Protocol representative.

At the fixed time, the Ambassador, in the company of the Diplomatic Protocol representative and the Embassy's diplomatic staff, reaches the Belvedere courtyard, where the Guard of Honour of the Polish Army is arrayed. The car pulls up in the Belvedere courtyard.

The Ambassador is welcomed by the Director of the MFA Diplomatic Protocol.

The Ambassador and the Director of the Diplomatic Protocol stand in front of the Belvedere. The Diplomatic Protocol representative, the Ambassador's Spouse and/or diplomats in order of precedence take positions right behind. The Guard of Honour of the Polish Army presents arms while the orchestra plays the national anthem of the Ambassador's country.

Having listened to the national anthem, the Ambassador, accompanied by the Director of the Diplomatic Protocol, proceeds to the colours of the Guard of Honour to the sound of the General's March. The Embassy's diplomatic staff and the Diplomatic Protocol representative remain in position.

The Commander of the Guard of Honour steps forward to report to the Ambassador whereupon the Ambassador, accompanied by the Director of the Diplomatic Protocol and the Commander of the Guard of Honour, proceeds towards the colour party of the Guard of Honour and salutes the colours by bowing his/her head.

In the company of the Director of the Diplomatic Protocol and the Commander of the Guard of Honour, the Ambassador then inspects the Guard of Honour. He/she passes along the front rank to its end and then returns to the middle of the rank, where he/she halts to face the troops. The orchestra stops playing. The Ambassador salutes the

Guard with the words: Czołem żołnierze! (“Hail, soldiers!”, either in Polish or in his/her native language). The soldiers respond in unison: Czołem Panie Ambasadorku! (“Hail, Mr/Madam Ambassador!”). The Ambassador acknowledges the Commander of the Guard of Honour by bowing his/her head.

The Ambassador and the Director of the Diplomatic Protocol head towards the entrance to the Belvedere. They are joined by the Diplomatic Protocol representative and the Embassy’s diplomatic staff.

The officers’ guard salutes the delegation at the entrance.

The Presidential Undersecretary of State greets the guests in the Main Entrance Hall of the Belvedere. The Diplomatic Protocol representative returns the Letters of Credence to the Ambassador. The Director leads the Ambassador and persons accompanying him/her to the Raspberry Room. Persons accompanying the Ambassador stand to the left of the flags.

A photographer takes a picture of the Ambassador against the Ambassador’s national flag.

The Ambassador stands at the centre of the Raspberry Room, with the Director of the Diplomatic Protocol to his/her left.

The Secretary of State at the President’s Chancellery, the Secretary or the Undersecretary of State at the MFA, Director of the Foreign Affairs Bureau at the President’s Chancellery, as well as the Director of the territorial department at the MFA participating in the ceremony take positions to the right of the flags. The President enters the Raspberry Room and stands opposite the Ambassador.

The Ambassador greets the President with a bow. The Director of the Diplomatic Protocol presents the Ambassador to the President, saying:

“His/Her Excellency *first name(s) and last name(s)*, Ambassador Extraordinary and Plenipotentiary of *official name of the state*.”

The Ambassador approaches the President and hands him/her the Letters of Credence and the Letters of Recall of his/her predecessor (no remarks or address are scheduled). The President accepts the letters and greets the Ambassador.

The President presents to the Ambassador the representatives of the President’s Chancellery and the MFA. The Ambassador presents to the President his/her Spouse and the Embassy’s diplomatic staff. The President invites the Ambassador to a private

audience, which is also attended by the Secretary of State at the President's Chancellery and the Secretary or the Undersecretary at the MFA. Simultaneously, the Director of the Foreign Affairs Department at the Prime Minister's Chancellery, the Director of the Diplomatic Protocol, the director of the competent territorial MFA department and the diplomats accompanying the Ambassador proceed to the Dining Room.

After the private audience the Ambassador, accompanied by the Secretary of State at the President's Chancellery and the Secretary or the Undersecretary of State at the MFA, return to the Raspberry Room, and then bid farewell in the Main Entrance Hall.

Upon leaving the Belvedere, the Ambassador, accompanied by the Director of the Diplomatic Protocol, halts on the stairs. The Embassy's diplomatic staff and the Diplomatic Protocol representative stand behind the Ambassador.

The orchestra plays Poland's national anthem. The delegation departs. The Ambassador's car has a pennant in the national colours of the Ambassador's country.

The Diplomatic Protocol representative accompanies the Ambassador to the Tomb of the Unknown Soldier, at Piłsudski Square.

Dress code during the audience:

Men – dark suit, national attire or diplomatic uniform

Women – day dress, suit or national attire.

Hat and gloves – optional

PRESENTATION OF LETTERS OF CREDENCE - [DIAGRAM OF CEREMONY IN THE COURTYARD OF THE BELVEDERE](#)

PRESENTATION OF LETTERS OF CREDENCE - [DIAGRAM OF CEREMONY IN THE BELVEDERE](#)

6. Ceremony of wreath-laying by an ambassador extraordinary and plenipotentiary at the Tomb of the Unknown Soldier

The Ambassador and persons accompanying him/her are welcomed by the Deputy Director of the Diplomatic Protocol, the Garrison Commander and the Chief of the Defence Ministry's Protocol Section, or by their deputies. The Guard of Honour of the Polish Army together with the orchestra stand to the right, in front of the Tomb.

The Ambassador and the Polish authorities officials take positions behind the wreath, while the persons accompanying the Ambassador stand at the Memorial Book. Two soldiers take the wreath.

To the sound of drums, the Ambassador, accompanied by the Deputy Director of the Diplomatic Protocol, the Garrison Commander and the Chief of the Defence Ministry's Protocol Section, proceeds towards the Tomb of the Unknown Soldier and halts in front of the Tomb.

The soldiers lay the wreath on the tombstone. The Ambassador approaches the wreath to arrange its ribbons, bows hi/her head and pays tribute with a moment of silence. Then the Ambassador re-joins the party.

The Garrison Commander invites the Ambassador to sign the Memorial Book. The guests (including persons accompanying the Ambassador) are briefed about the Tomb's history.

The Ambassador and the persons accompanying him/her walk to a place where they bid farewell to the Polish authorities officials, and then depart.

[DIAGRAM OF THE CEREMONY OF WREATH LAYING AT THE TOMB OF THE UNKNOWN SOLDIER.](#)

7. Protocolar visits

Official and working visits

After presenting his credentials to the President of the Republic of Poland, a new ambassador can ask for the following visits:

- to the Prime Minister,

- to the Speaker of the Sejm,
- to the Speaker of the Senate,
- to the Minister of Foreign Affairs,
- to the Minister of National Defence.

Visits to the above officials are always arranged by the Protocolar Section of Diplomatic Protocol. Visits to Secretaries of State, Undersecretaries of State and department directors at the Ministry of Foreign Affairs are organized directly by embassies through communication with the respective secretariats. This also applies to other ministries as well as civilian and military authorities in Poland.

7.1 Visits by Heads of State, Government and Ministers of Foreign Affairs to Poland

7.1.1 Visit by a Head of State to Poland

A visit by a Head of State to Poland can have an official or unofficial character. In some situations, heads of state arrive on private visits.

Programme of an official visit includes the following fixed elements:

- a) unofficial welcome at the airport by a representative of the President's Chancellery (secretary or undersecretary of state at the President's Chancellery), director or deputy director of the MFA's Diplomatic Protocol and the ambassadors of both states (red carpet rolled out, a line of soldiers standing at attention, Polish and the Guest's flags),
- b) official welcome ceremony at the courtyard of the Belvedere Palace (presentation of both delegations, anthems, inspection of the representative company of the Polish Army, march-past). The ceremony is attended by the members of both official delegations, representatives of civilian and military authorities of Warsaw, the dean of the diplomatic protocol, heads of diplomatic missions and diplomatic personnel of the embassy of the Guest's country,
- c) private talks,
- d) plenary talks of both delegations (separate meetings of ministers accompanying the Guest with their Polish counterparts is also possible),
- e) joint press conference,
- f) other meetings: meetings with the Speaker of the Sejm and Senate and the meeting of Prime Minister and the Guest (talks or a working lunch),

- g) an official dinner at the Presidential Palace,
- h) wreath-laying at the Tomb of the Unknown Soldier,
- i) unofficial farewell at the airport (similarly to an unofficial welcome).

Other possible items of the programme are arranged based on the principle of reciprocity or depending on the interests and wishes of the Guest. If the Guest is accompanied by a spouse, a separate programme is established for the spouse, taking into consideration his/her participation in selected parts of the programme of the Head of State.

Working visit by a Head of State does not include elements listed in points b), f) and h). Lunch or dinner in this case has a working character. Other points of the programme of the visit are arranged depending based on the needs and wishes of the Guest.

In the case of a private visit, there are no fixed elements of the programme. The protocol-related aspects are limited to a necessary minimum.

7.1.2 Visit by a Head of Government to Poland

Similarly to a visit by a Head of State, a visit by a Head of Government can be official, working or private.

Programme of an official visit includes the following fixed elements:

- a) unofficial welcome at the airport by a representative of the Prime Minister of the Republic of Poland (secretary or a undersecretary of state), director or a deputy director of the Diplomatic Protocol and ambassadors of both states (red carpet rolled out, a line of soldiers standing at attention, Polish and the Guest's flags),
- b) official welcome ceremony at the courtyard of the Chancellery of the Prime Minister (presentation of both delegations, anthems, the inspection of the representative company of the Polish Army, march-past). The ceremony is attended by the members of both official delegations, representatives of civilian and military authorities of Warsaw, the dean of the diplomatic protocol, heads of diplomatic missions and diplomatic personnel of the embassy of the Guest's country,
- c) private talks,
- d) plenary talks of both delegations,

- e) joint press conference or a meeting with journalists,
- f) official lunch or dinner,
- g) meeting with the President of the Republic of Poland,
- h) courtesy meetings with the Speakers of both Chambers of Parliament,
- i) wreath-laying at the Tomb of the Unknown Soldier,
- j) unofficial farewell at the airport (similarly to an unofficial welcome).

Other possible items of the programme are arranged based on the principle of reciprocity or depending on the interests and wishes of the Guest. If the Guest is accompanied by a spouse, a separate programme is established for the spouse, taking into consideration his/her participation in selected parts of the programme of the Head of Government.

A working visit does not include elements listed in points b), h) and i). Lunch or dinner in this case has a working character. Other points of the programme of the visit are arranged depending based on the needs and wishes of the Guest.

In the case of a private visit, there are no fixed elements of the programme. The protocol-related aspects are limited to a necessary minimum.

7.1.3. Visit by a Minister of Foreign Affairs to Poland

Similarly to a visit by a Head of State or Government, a visit by a Minister of Foreign Affairs can be official, working or private. The fixed elements of an official visit are as follows:

- a) unofficial welcome at the airport by the Director or Deputy Director of MFA's territorial department, Head of Official Visits Section at the MFA's Diplomatic Protocol and the ambassadors of both states (if Polish ambassador is present in the country),
- b) private talks,

- c) plenary talks of both delegations,
- d) joint meeting with press,
- e) meeting with the President and Prime Minister of the Republic of Poland,
- f) courtesy meetings with the Speakers of the Sejm and the Senate,
- g) official lunch or dinner,
- h) wreath-laying at the Tomb of the Unknown Soldier,
- i) unofficial farewell at the airport (similarly to an unofficial welcome).

If the guest is accompanied by a spouse, it is the embassy who is responsible for preparing a separate programme for the spouse.

A working visit does not include a wreath-laying ceremony, while point f) is optional. Other, additional points of the programme are arranged depending on the needs and the requirements of a specific visit.

7.1.4. Preparation of a visit

While preparing visits mentioned above, the Diplomatic Protocol cooperates with:

- The Chancellery of the President of the Republic of Poland,
- The Chancellery of the Prime Minister of the Republic of Poland,
- MFA's departments and bureaus,
- Civilian and military Warsaw authorities,
- State Protection Service and the police.

If a part of the programme takes place outside of Warsaw, the Diplomatic Protocol cooperates with the representatives of regional government administration and the representatives of local authorities.

Working contacts with embassies are important in the preparation of visits. The Diplomatic Protocol contacts the embassies with a number of questions and issues, whose clarification and arrangements facilitates its work and guarantees a proper preparation of a visit.

The most important issues include:

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- Date and time of arrival of the Guest in Poland and the means of transport (type of aircraft) and personal details of embassy representatives taking part in the welcome/seeing off of the Guest and the car plate numbers they are travelling;
- The composition of the official delegation in the order of precedence;
- List of accompanying persons;
- CV's of the guest and the spouse;
- Details of security officers, the number and type of carried weapons and the means of radio communication they use, as well as the information on requested frequencies;
- Suggestions concerning the programme;
- Details of persons taking part in specific meetings and persons attending official dinner;
- Dietary and health restrictions, blood type of the Guest and the spouse;
- Special requests of the Guest;
- Preferences regarding accommodation.

The issues listed above are arranged together with the representatives of the embassies as well as the members of the advance teams arriving in Poland. The Polish side makes it possible for the group to make a reconnaissance the venues the Guest is going to stay and negotiates the final contents of the programme.

II. Defence, military, naval and air attachés

Pursuant to Article 7 of the Vienna Convention on Diplomatic Relations, the sending state should obtain approval from the authorities of the Republic of Poland before appointing defence, military, naval and air attachés and their deputies in Poland. This requirement does not apply if a bilateral agreement with Poland provides for other procedures.

The diplomatic mission notifies the Ministry of Foreign Affairs that the sending state's authorities intend to appoint a new defence, military, naval or air attaché, or their deputies, and requests the approval of the Polish authorities. The note should contain the full name of the candidate, his/her military rank, and the position at the mission, as well as the full name of the person to be replaced.

In the case of accreditation for a mission outside of Poland, the mission should specify the place where the attaché will be posted. The candidate's CV should be attached to the note.

The CV should include:

- name and surname (**it is recommended to attach a photocopy of a valid ID or passport**),
- date and place of birth,
- nationality/nationalities,
- military rank,
- education,
- military service history,
- knowledge of foreign languages,
- family status.

The Ministry of Foreign Affairs, after considering the application, informs the mission via a diplomatic note of its decision concerning the proposed candidate.

III. Career Consuls

In accordance with Article 4 of the Vienna Convention on consular relations “A consular post may be established in the territory of the receiving State only with that State’s consent”.

The Ministry of Foreign Affairs of the sending state conveys a note directly to the Ministry of Foreign Affairs of the Republic of Poland, through its diplomatic mission in Poland, or through the Polish embassy in that state, advising of the intent to establish a consular post in Poland and requesting the consent of the authorities of the Republic of Poland. The note should identify the seat of the consular post, its classification and the consular district.

The seat of a consular post should be located in a voivodship capital.

The classification of a consular post should correspond to the class of its head.

The district of a consular post should cover the area of at least one voivodship, while the district of a consulate-general should cover the area of at least three voivodships.

The Ministry of Foreign Affairs of the Republic of Poland notifies the Ministry of Foreign Affairs of the sending state, or its diplomatic mission, of the decision of the Polish authorities.

After obtaining consent of the authorities of the Republic of Poland for the establishment of a consular post, the Ministry of Foreign Affairs or diplomatic mission of the sending state addresses a note to the Ministry of Foreign Affairs of the Republic of Poland requesting acceptance of the candidate for head of the post¹. The note should contain the full name of the candidate and proposed class of the head of the post.

The candidate’s CV, following a template indicated below, should be attached to the note:

First name and surname **(it is recommended to attach a photocopy of a valid ID or passport):**

Father’s first name:.....

Date and place of birth:

¹ Unless an agreement between Poland and the given state envisages other procedures.

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Nationality/nationalities:

Professional experience:

.....

Additional information (publications, achievements, distinctions):

.....

The Ministry of Foreign Affairs of the Republic of Poland notifies the diplomatic mission of the decision concerning the proposed candidate.

The admission of the head of a consular post (exequatur) to the exercise of his/her functions is granted by the Minister of Foreign Affairs place upon the submission to the Ministry of the original of the commission, bearing a signature and seal, and containing the date and place of issuance, as well as information on the seat and the consular district.

IV. Honorary consuls

Whenever mention is made in the text of an honorary consul – this signifies an honorary consul-general, honorary consul, honorary vice-consul and honorary consular agent.

The establishment in the Republic of Poland of a consular post headed by an honorary consul and the procedure of admission of the head of such a post to the exercise of his/her functions is based on the provisions of the Vienna Convention on consular relations of 24 April 1963, and on those bilateral consular conventions concluded by the Republic of Poland with other states that include the institution of honorary consul.

1. Establishment of a new consular post

General rules:

- a) The establishment in the Republic of Poland of a consular post headed by an honorary consul, takes place in accordance with the rules set out in the 1963 Vienna Convention on consular relations for the establishment of a consular post headed by a career consular officer.
- b) The district of a consular post headed by an honorary consul may cover the territory of one voivodship, several voivodships or the entire Republic of Poland.
- c) The district of a consular post headed by an honorary consul-general should cover the territory of at least three voivodships.
- d) The districts of the respective consular posts of a given state headed by honorary consuls may not overlap.
- e) The seat of a consular post headed by an honorary consul may not be located in the same town as the diplomatic mission or consular post of the given state headed by a career consular officer.
- f) The seat of a consular post headed by an honorary consul should be located in one of the 16 voivodship capitals. Exceptions to this rule are permissible only in particularly justified cases.

g) If the sending state does not have a diplomatic mission in Poland, or has a diplomatic mission with permanent seat in another state, and the district of the consular post headed by an honorary consul is to cover the entire territory of the Republic of Poland, then the seat of the post should be located in the capital city of Warsaw. Exceptions to this rule are permissible only in particularly/duly justified cases.

h) Consular posts headed by honorary consuls may not open branch offices.

i) The staff of a consular post headed by an honorary consul may include career consular officers.

The procedure for the establishment of a consular post headed by an honorary consul:

a) The establishment of a consular post headed by an honorary consul and the admission of the head of that consular post to the exercise of his/her functions requires prior consent of the competent authorities of the Republic of Poland.

b) The diplomatic mission of the sending state or, in its absence, the Ministry of Foreign Affairs, requests consent by note addressed to the Ministry of Foreign Affairs of the Republic of Poland. The note should include:

- the town where the consular post will be located and its address if it is known at the time of applying for the consent of the Ministry,
- the consular district,
- the class of the post head, in accordance with the Vienna Convention.

c) After considering the application, the Ministry of Foreign Affairs notifies the applicant of its decision.

d) The Ministry of Foreign Affairs of the Republic of Poland does not cover any costs connected with the establishment and operation of a consular post headed by an honorary consul.

2. Requirements to be met by a candidate for the post of honorary consul and procedure for admitting an honorary consul to the exercise of his/her functions

A candidate for the post of honorary consul should meet the following criteria:

- a) age of 25 or older and enjoy full legal powers;
- b) be a Polish citizen, or a citizen of the the sending state, or a third state. In the second and third case, the candidate must hold a permit for residence in Poland;
- c) have a permanent residence in the voivodship where the consular post has its seat;
- d) enjoy irreproachable reputation;
- e) have material and social status permitting him/her to perform consular functions in an independent and impartial way;
- f) cannot perform any public functions in Poland, whether by appointment or election;
- g) have long-established ties with the sending state.

The admission of an honorary consul to the exercise of his/her functions involves the following procedure:

After obtaining consent of the competent authorities of the Republic of Poland for the establishment of a consular post headed by an honorary consul, the diplomatic mission of the sending state addresses a note to the Ministry of Foreign Affairs, requesting acceptance of the candidate for honorary consul.

The note should contain the candidate's full name, citizenship, profession, place of residence and his/her proposed class as head of the post. The candidate's CV, following a template specified below, should be attached to the note.

A CV of a candidate for the post of an honorary consul

First name and surname:

Father's first name:

Date and place of birth:.....

Nationality/nationalities:

(in the case of a nationality other than Polish, it is necessary to attach a copy of the permit to reside in Poland)

Address:

Education:.....

Professional experience:

Period of employment	Name of company/institution/place	Position
.....

Knowledge of foreign languages:

Marital status:

Additional information (publications, achievements, distinctions):
.....

If the candidate is not a Polish citizen permanently resident in Poland, an authenticated copy of a permit of residence in Poland should be attached to the note, together with confirmation of permanent registration in Poland. It is possible to simultaneously request consent for the establishment of a consular post and the acceptance of a candidate for honorary consul.

The Ministry of Foreign Affairs, upon considering the request, notifies the diplomatic mission of its decision concerning the proposed candidate.

Next:

- a) after obtaining acceptance of the candidate for honorary consul, the sending state should submit his/her commission, specifying, inter alia, the district of the consular post to be headed by him/her;
- b) the commission should be signed by the Head of State or Minister of Foreign Affairs of the sending state, or other duly authorized person;
- c) an honorary consul may be admitted to the exercise of his/her functions for an indefinite period, or as requested by the sending state;
- d) the Minister of Foreign Affairs of the Republic of Poland grants exequatur to an honorary consul on the basis of his/her commission, bearing a signature and seal and containing the date and place of issuance.

- e) exequatur is only granted to an honorary head of a consular post;
- f) A consular post headed by an honorary consul should begin its activity **within three months** of exequatur being granted, which should be notified to the Ministry of Foreign Affairs by the sending state, with the note containing information on the office hours of the post. It is expected that the note includes information on contact details of the seat of the post as well as its business hours
- g) A vacancy in the post of honorary consul, regardless of causes, may not exceed **three months**.
- h) If before the expiry of that period a new candidate is not submitted, or an honorary consul, after receiving exequatur, does not enter upon his/her duties, the consular post is abolished. In that event, the diplomatic mission of the sending state has to initiate the procedure from the beginning to establish a consular post.
- i) The Diplomatic Protocol of the Ministry of Foreign Affairs, at the request of the diplomatic mission of the sending state, issues a consular identity card to the honorary consul (family members of an honorary consul are not entitled to such cards).
- j) Consular identity cards are also issued to other consular officers of the post headed by an honorary consul.

Regularly updated data, at the request of the diplomatic mission, about consular posts and their honorary heads is displayed on the website of the Ministry of Foreign Affairs in the List of Diplomatic and Consular Corps.

Change of status of a consular post and its head

- a) Changes in the status of a consular post headed by an honorary consul may concern the classification of the post (e.g., from vice-consulate to consulate, and vice versa), or its character (from a post headed by an honorary consular officer to a post headed by a career consular officer).
- b) Any such change requires prior acceptance by the Ministry of Foreign Affairs, which the diplomatic mission of the sending state should request by note containing justification of the intended change.

- c) The raising or lowering of the class of a consular post headed by an honorary consul results in a corresponding change of the class of its honorary head, and necessitates the submission of a new commission and obtainment of new exequatur.
- d) The change of a consular post headed by an honorary consul into a post headed by a career consular officer requires all the steps set out in the procedure admitting the head of a consular post to the exercise of his/her functions to be repeated.

3. Withdrawal of exequatur

The exequatur of an honorary consul may be withdrawn in the event of his/her serious violation of the legal order of the Republic of Poland or of the provisions of the 1963 Vienna Convention on consular relations.

4. Status of honorary consuls and consular posts headed by them in the Republic of Poland

- a) The diplomatic mission of the sending state supervises the activity of honorary consuls and settles with the Ministry of Foreign Affairs all matters concerning their status and scope of activity, including their privileges and immunities.
- b) An honorary consul and the consular post he/she heads is entitled to the facilities, privileges and immunities specified in Chapter III of the 1963 Vienna Convention on consular relations, including:

– the right to fly the flag of the sending state on the building occupied by the consular post, the residence of the head of the consular post and on his/her means of transport during the performance of official duties (Article 29);

– the right to display the coat-of-arms of the sending state on the building of the consular post and its entrance door, and a plate with the sign “Consulate[1] of (name of state)” (Article 29). A plate with the sign “Honorary Consulate [2] of (name of state)” is also permissible;

– the right of inviolability of consular archives and documents, provided that they are kept separate from the professional and private correspondence of the honorary consul and are appropriately marked (Article 61);

– immunity from jurisdiction solely in respect of acts performed in the exercise of consular functions (Article 43).

c) An honorary consul is not entitled to:

– any tax or customs privileges, with the exception of exemption from levies pertaining to such objects as coats-of-arms, flags, books, official forms and office materials, on condition that they are designated for official use of the consular post, as well as other similar materials supplied to the consular post by the sending state;

– special car registration plates. Car registration is conducted in accordance with general regulations in force in the Republic of Poland;

It is recommended not to use “CC” plates or stickers on means of transport.

[1] The word “consulate” signifies, respectively, a consulate-general, consulate, vice-consulate or consular agency.

[2] The words “honorary consulate” signify, respectively, an honorary consulate-general, honorary consulate, honorary vice-consulate or honorary consular agency.

V. Decorations and orders

1. Awarding foreign decorations and orders to Polish nationals

A Polish citizen may accept a decoration, order or another honourable distinction awarded by the supreme authorities of a foreign state after obtaining consent of the President of the Republic of Poland (Article 5 of the Orders and Decorations Act of 16 October 1992, Journal of Laws of 1992, No. 90, item 450, consolidated text of Journal of Laws of 2019, item 25).

The diplomatic mission of a foreign state whose supreme authorities are conferring a decoration or order, addresses a note to the MFA Diplomatic Protocol requesting consent for such distinction's acceptance by a Polish citizen. The note should contain:

- full name, date and place of birth, address and position of the person to be decorated,
- full name and class of the proposed decoration, order or other honourable distinction,
- description of the services rendered by the person to be decorated.

The MFA Diplomatic Protocol advises the diplomatic mission of the decision of the Polish President by a note.

No presidential consent is required when a decoration or other honourable distinction to be accepted by a Polish citizen has been awarded by lower-level authorities (e.g., ministers), rather than the supreme authorities of a foreign state.

2. Awarding Polish orders and decorations to foreign diplomats

Orders and decorations are awarded by the President of the Republic of Poland (Article 138 of the Constitution of the Republic of Poland of 2 April 1997, and the Orders and Decorations Act of 16 October 1992, Journal of Laws of 1992 No. 90, item 450).

There is no established practice of conferring decorations on all heads of diplomatic missions concluding their mission in Poland. Decorations are bestowed only on those heads of diplomatic mission who have been particularly active during their tenure and

made a substantial personal contribution to the development of relations between their country and the Republic of Poland.

Diplomatic mission heads are awarded the Commander's Cross of the Order of Merit of the Republic of Poland (3rd class). In exceptional cases, the Commander's Cross with the Star of the Order of Merit (2nd class) can be conferred. The order can be bestowed on diplomatic mission heads who have served in Poland for at least two years.

When completing their mission, lower-ranking diplomats can also be honoured with lower-class distinctions if their work has met with recognition of Polish institutions and organizations, which can apply for the person concerned to be decorated.

Requests for granting decorations and orders are made to the Polish President by the Minister of Foreign Affairs of the Republic of Poland.

VI. Receptions and celebrations

1. Celebrating national holidays

The President of the Republic of Poland invites members of the diplomatic corps to participate in celebrations of Polish national holidays.

Heads of diplomatic missions accredited in Poland attend events marking the National Holiday of 3 May (anniversary of the Constitution of 3 May 1791) and the National Independence Day on 11 November (anniversary of the restitution of independence in 1918).

It is customary to send messages of congratulation on this occasion.

The celebrations of the National Holiday of 3 May are held at Warsaw's Castle Square.

The official ceremony to mark the National Independence Day, bringing together top state officials, is held at the Tomb of the Unknown Soldier in Warsaw's Marshal Józef Piłsudski Square on 11 November, and features:

- raising of the national flag, playing of the national anthem and artillery salutes;
- ceremonial changing of the guard,
- address by the President of the Republic of Poland,
- wreath-laying at the Tomb of the Unknown Soldier,
- march-past by units of the Polish Armed Forces.

It is an accepted practice that the Dean of the Diplomatic Corps, accompanied by the Director of the Diplomatic Protocol, lays one wreath on behalf of the entire diplomatic corps.

2. New Year reception

Every January, the President of the Republic of Poland and the First Lady host a New Year reception for Heads of Diplomatic Missions accredited to Poland and their Spouses. The reception takes place at the Presidential Palace, and is attended by the Prime Minister and the Minister of Foreign Affairs.

The programme includes:

- presentation of the heads of diplomatic missions, in order of precedence,
- address by the Dean of the Diplomatic Corps,
- address by the President of the Republic of Poland,
- champagne toast,
- buffet reception.

VII. Accreditation

1. Notification of arrival

Pursuant to Article 10 of the Vienna Convention on Diplomatic Relations of 1961, and Article 24 of the Vienna Convention on Consular Relations of 1963, the diplomatic missions should notify the Ministry of Foreign Affairs of the taking up and completion of duties by all members of diplomatic missions or consular posts entitled to privileges and immunities. By way of a note verbale, the diplomatic mission notifies the MFA Diplomatic Protocol of the date of arrival of a mission member, his/her professional position and function, as well as the person being replaced. In the case of diplomatic personnel, their order of precedence should be specified on the Diplomatic List kept by the MFA Diplomatic Protocol and available on the MFA website.

Notification should immediately follow the appointment, and be sent no later than seven days after the arrival. The note should come with two application forms for diplomatic identity card ([form A](#) - for member of diplomatic mission, [form B](#) for family member or domestic servant) of, in neat writing, with all blanks filled in, bearing the mission head's seal and signature; together with the original passport and two recent identical photographs.

The photographs must meet the following criteria: they should be taken no later than within the previous six months; allow for the applicant's identification; have the format 3.5 x 4.5 centimetres; be in colour, clean, in sharp focus and with good contrast; be printed on high-quality photo paper with light background; show clearly the eyes and both halves of the face, from the top of the head to the top of the shoulders, without a head covering, with the applicant facing the camera directly with closed mouth and hair not covering his/her face.

The photographs of people wearing glasses must meet the following criteria: glasses must not be tinted, and should not reflect light; the frame must not cover any part of the eye. People wearing a head covering for religious reasons: chin, forehead and both cheeks must be clearly visible, with the face unshaded by the head covering. The applicant's signature must not go beyond the box provided and should be made in black ink.

Notification should also be given of arrivals of the accredited person's family members, and their private servants. The note should comprise the same attachments as is the case with a person exercising official duties. In instances when members of a married couple have different surnames, it is required to include the couple's marriage certificate along with translation into Polish, English or French and authenticated by the Embassy or Consul. The above requirement does not apply in respect to persons whose passports include an entry made by the passport issuing authority testifying to the fact that its bearer is married to a person assigned to a mission.

The notification of a private servant should include additional documents, as referred to in the Employment section.

Notwithstanding the above, the Diplomatic Protocol requests diplomatic missions to furnish an updated list of members of missions and consular posts on an annual basis.

2. Issuing documents

The Ministry of Foreign Affairs issues persons arriving in Poland to take up their duties, and their family members with identity cards confirming their status in the Republic of Poland, provided that their stay exceeds six months. The following persons are recognised as family members forming part of the same household with members of diplomatic missions or consular posts:

- a) spouses,
- b) children under 21, or under 25 if they are full-time students at Polish higher education institutions (confirmed by a certificate) and are unmarried. These restrictions do not apply to persons requiring continuous parental care for special reasons, such as bad health.

Polish nationals and persons who have permanent residence right in Poland cannot be accredited as the mission's diplomatic representatives or career consular officers.

For the duration of duties carried out by members of missions, international organizations' representations, and consular posts, their partners (same-sex or opposite-sex) are issued with residence documents if they are in a relationship with such members that has been entered into pursuant to the law of one of the parties' states. Documents mentioned above can be issued if the application includes an

official document, translated and authenticated (as in VII.1), testifying to the fact that the partnership has been entered into pursuant to the law of one of the parties' states. However, such persons are not eligible for any privileges or immunities.

Family members not specified above (e.g., parents, grandparents, grandchildren) can be issued with residence documents in justified cases provided the sending state respects the principle of reciprocity. However, such persons are not eligible for any privileges or immunities.

Identity cards indicate the official status and/or duties of the diplomat. Pursuant to Article 5.1(a) and Appendix VII. 4 in conjunction with Article 19 of Regulation (EC) No. 562/2006 of the European Parliament and the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (Official Journal of the European Union L.06.105.1, as amended), the identity card issued by the Polish Ministry of Foreign Affairs, together with a valid travel document, grants their holder the right to enter the territory of the Schengen States, provided that the holder's total stay does not exceed three months within a six-month period.

2.1 Visas

Members of the diplomatic missions and consular offices of countries whose citizens are subject to visa requirement, and members of their families forming part of the same household should apply for diplomatic or service entry visas to Poland, at a territorially competent diplomatic mission or consular post of the Republic of Poland.

Visas issued to members of diplomatic missions are labelled "C" or "D" pursuant to the Regulation of the Minister of Foreign Affairs of 8 April 2015 on the issuance of visas and documents confirming the status as members of diplomatic missions, and consular posts of foreign states (Journal of Laws No. 2015, item 535). The "COMMENTS" section of the visa sticker should include the entry: "purpose of issuance:" and the following designations:

"DIPLOMATIC" – for entry and stay of heads and diplomatic staff of diplomatic missions as well as heads and consular officers of foreign states, and other persons enjoying

equivalent status on the basis of laws, agreements and universally established international customs, and their family members;

“SERVICE” – for entry and stay of administrative and technical staff, diplomatic missions’ service staff, consular officers, and consular posts’ service staff of foreign states, as well as other persons delegated to work in Poland and arriving on business who enjoy equivalent status on the basis of laws, agreements and universally established international customs, and their family members.

2.2 Identity cards

The Ministry of Foreign Affairs issues the following types of ID cards (as per models included in the above-mentioned regulation):

- 1) diplomatic cards (pink), issued to diplomatic representatives of foreign states in Poland and their family members;
- 2) service cards (blue), issued to administrative and technical staff, and service staff of diplomatic missions of foreign states in Poland, and their family members;
- 3) consular cards (green), issued to members of consular posts of foreign states in Poland, and their family members;
- 4) cards of honorary consuls (yellow), issued to honorary consuls in Poland;
- 5) special cards (white), issued to persons other than listed above if justified on the basis of laws, agreements and universally established international customs.

Staff members of diplomatic missions, consular posts and representations of international organizations, recognized as such by the Ministry of Foreign Affairs, as well as such persons’ family members, are entitled to the cards referred to in 1)-3) on condition that they do not have Polish citizenship or permanent residence in Poland.

Diplomatic cards are issued to members of missions who hold a diplomatic passport and a customarily recognised diplomatic rank. Recognised diplomatic ranks include:

ambassador (extraordinary and plenipotentiary), apostolic nuncio, minister plenipotentiary, minister counsellor, first counsellor, counsellor, first secretary, second secretary, third secretary, attaché, and assistant attaché. Acceptable variants include defence attaché, military attaché, naval and air attaché, and commercial counsellor.

IDs are issued for up to four years. Applications for a new card should include the expired card, two application forms, a passport photocopy, and two recent photographs.

Ambassadors receive their cards after presenting their letters of credence. It is possible to apply for a card confirming the interim status of ambassador agréé upon his/her arrival, prior to the presentation of letters of credence. This is the case when the presentation is much delayed for extraordinary reasons.

The relevant diplomatic mission should immediately report cases of the card being lost or stolen to the police, and subsequently notify this to the Ministry of Foreign Affairs, attaching a copy of the report filed with the police.

3. Notification of departure

Pursuant to Article 10 of the Vienna Convention on Diplomatic Relations, and Article 24 of the Vienna Convention on Consular Relations, the diplomatic missions should notify the Ministry of Foreign Affairs of the completion of duties by all members of missions or consular posts entitled to privileges and immunities. A note verbale should specify the date of completion of official duties and the departure date.

The ID should be returned to the Ministry of Foreign Affairs immediately its holder has lost his/her official status in Poland, i.e. no later than 14 days after the departure of a member of the diplomatic mission or consular post or members of his/her family who are entitled to the card. This requirement is strictly enforced – the Ministry will not issue an identity card to a newly appointed member of the mission or consular post until his/her predecessor's card is returned.

VIII. Purchase of real estate by diplomatic missions and consular offices in Poland

1. In accordance with current regulations, diplomatic missions and consular posts of foreign countries may, on condition of reciprocity, purchase from the State Treasury, gminas (communes), natural and corporate persons, the following rights to real estate: ownership, perpetual usufruct, usufruct, lease or rental.

Legal basis:

- Article 61 of the law of 21 August 1997 on real estate management (consolidated text: Journal of Laws of 2018, item 2204)
- law of 23 April 1964 – Civil Code (consolidated text: Journal of Laws of 2018, item 1025)

2. The purchase of real estate in freehold or perpetual usufruct requires obtaining a permit issued by the Minister of the Interior and Administration, hereunder referred to as “the permit”.

Legal basis:

- law of 24 March 1920 on the purchase of real estate by foreigners (consolidated text: Journal of Laws of 2017, , item 2278).

3. In order to obtain the permit, the diplomatic mission or consular post concerned submits an application to the Minister of Interior, through the Ministry of Foreign Affairs. The application should be in Polish, or – in the case of applications in other languages – should be provided with a sworn translation into Polish.

Please note: the application for the permit should be addressed to the Minister of the Interior and submitted (in the case of a diplomatic note) through the Ministry of Foreign Affairs.

3. The application should contain:

- a) name of the applicant;

- b) detailed description of the real estate to be purchased: legal title the diplomatic mission/consular post wants to acquire, location (street, city, gmina, voivodeship), plot number(s), area (in hectares), land register number, type of building;
- c) data concerning the natural or corporate person or persons selling the real estate and the seller's precise address (with postal code);
- d) description of the legal form of purchase, e.g. contract of sale, granting of perpetual usufruct;
- e) substantiation of the application, including reasons for the purchase;
- f) declaration by the applicant's Government to apply reciprocity in the event of real estate purchase by a Polish diplomatic mission or consular post on the territory of the applicant's state. The declaration should include a pledge to grant consent for the purchase of real estate or other rights to it, if such consent is required by the law or regulations of the given state, and to waive any taxes and charges connected with the purchase of the real estate.

4. The application should have the following attachments:

- a) written statement by the owners of the real estate expressing their intent to sell it to the applicant; documents specifying the real estate which must be issued not earlier than six months prior to the application date:
- b) documents identifying the real estate, issued no sooner than six months before the submission of the application:**
 - extract from the land register or certificate concerning the relevant real estate documents;
 - extract from the land inventory together with the extract from the relevant geodesic map;
- c) in the event that the current real estate designation is not included in the land register – official documents on the basis of which real estate designation was modified;
- d) extract from the current development plan, or a decision about the location of public-purpose investment, or a decision about land development conditions (if applicable). If no local development plan exists – a relevant administrative body's document confirming this fact;

- e) notarized authorization, if the applicant is represented by a plenipotentiary, and the latter's full address, phone and fax numbers.
- 5. Before issuing the decision concerning the permit, the Minister of the Interior and Administration may call on the applicant to submit further evidence and information needed to consider the application.
- 6. The submitted documents should be complete. If the attachments to the application are in a foreign language, their translation into Polish, prepared by a sworn translator, should also be attached.

Please note: If copies of documents are being submitted, they should be authenticated by a lawyer, legal counsel or public notary.

- 7. Pursuant to Art. 35 (3) of the law of 14 June 1960 – Code of Administrative Procedure (unified text: Journal of Laws of 2013, item 267) decisions on permit applications concerning real estate purchases are issued within one month, and in especially difficult cases – within two months. Under Art. 35 (5) of the Code of Administrative Procedure, this period does not include the time necessary to carry out specific activities required by law, suspension periods of procedures, delays caused by the applying party or delays beyond the administrative body's control. The processing time is shorter if applications meet all formal and substantive requirements and are supplied with all necessary documents.

The permit is valid for two years from the day of issuance. Real estate purchases conducted after the expiry of the permit are legally invalid. If no purchase is made during the permit's validity, it is necessary to submit another application.

In the permit, the Minister of the Interior may set out special conditions for purchasing the real estate.

- 8. The permit, along with official certification of fulfilment of the special conditions referred to in point 9 (if applicable), constitutes a basis for the diplomatic mission or consular post to purchase the real estate (the contract of sale should have the form of a notarized deed), and for entering ownership or perpetual usufruct rights in the land register.

9. The acquisition of ownership of real estate or of the right of perpetual usufruct without a permit is invalid.
10. The permit of the Minister of the Interior does not substitute for any rulings or decisions of other state organs that may be required or issued on the basis of the law, e.g. the Civil Code, the building law, the water law, zoning regulations, regulations on the protection of monuments, as well as regulations on environment protection and fire safety.
11. The diplomatic mission or consular posts should provide the Ministry of Foreign Affairs with a copy of the notarized sale deed of the real estate.
12. Diplomatic missions and consular posts are exempt, on condition of reciprocity, from treasury charges for the permit of the Minister of Interior and from the tax on civil law transactions connected with the acquisition of real estate.

Legal basis:

- Article 7 (1) of the Law of 16 November 2006 on treasury charges (unified text: Journal of Laws of 2012, item 1282);
- Article 8 (1), in connection with Article 5 (2), of the Law of 9 September 2000 on taxing civil law transactions (consolidated text: Journal of Laws of 2018, item 1025).

IX. Vehicles

1. Customs duty/tax exemptions for vehicles

Diplomatic missions, consular posts and their accredited members can purchase/import vehicles into Poland. VAT and excise tax/customs duties exemptions are granted on the basis of reciprocity.

The following rules apply to purchasing/importing vehicles:

- Customs duties and/or tax exemptions for official vehicles are allocated within reason, and in principle, should not exceed the number of diplomatic representatives;
- A staff member with his/her family is entitled to exemptions for two private cars within three years. A single person is entitled to one car every three years. Any additional vehicles will be subject to standard customs clearance, i.e. without any tax/customs duties exemptions.

A vehicle exempt from customs duties or VAT and/or excise taxes cannot be assigned, for three years from the day of registration, to a person who is not entitled to this privilege. If a vehicle exempted from customs or tax debt is sold/assigned to a person who is not a member of the diplomatic corps, the seller must pay all the taxes from which he/she was exempted.

If a mission or an authorized member of the mission buys a vehicle in Poland, and receives a tax refund – in accordance with rules of registering vehicles laid down in Attachment No. 1 to the Regulation of the Minister of Infrastructure of 27 September 2003 on detailed activities of authorities in matters related to road use admission of vehicles and model documents in those matters (Journal of Laws of 2007, No. 137, item 968, as amended), the Infrastructure and Environment Section of the Mazovia Voivodeship Office enters information in the previously issued vehicle registration card that the buyer is exempt from tax on condition of non-assignment for three years.

The above is stipulated in paragraph 2.4 of the Regulation of the Minister of Finance of 29 September 2005 on VAT exemption for diplomatic missions, consular posts, their members and other persons enjoying equivalent status on the basis of laws, agreements and universally established international customs (Journal of Laws of 2005, No. 193, item 1618), and in paragraph 19.2 of the Regulation of the Minister of Finance of 24 February 2017 on exemptions from excise tax (Journal of Laws of 2017, item 430).

Consequently, the competent office reimburses VAT and/or excise tax levied on a vehicle purchased in Poland to the mission or its authorized member, whereas the Ministry of Foreign Affairs requests the diplomatic mission that the vehicle owner

immediately communicate this fact to the Infrastructure and Environment Section of the Mazovia Voivodeship Office (3/5 Plac Bankowy, Warsaw) in order to make an entry in the vehicle registration card.

The diplomatic mission should forward a photocopy of the vehicle registration card with a relevant entry confirming tax exemption to the MFA Diplomatic Protocol within 14 days from making that entry.

2. Vehicle registration

Pursuant to the Act of 20 June 1997 – Road Traffic Law (Journal of Laws of 2018, item 1990, consolidated text), and the Regulation of the Minister of Infrastructure of 22 July 2002 on vehicle registration and marking (Journal of Laws of 2017, item 2355, consolidated text), the Mazovia Voivode, at the request of the Minister of Foreign Affairs, registers vehicles of diplomatic missions, consular posts and special missions of foreign states or international organizations, and vehicles of their staff members enjoying diplomatic or consular privileges or immunities on the basis of laws, agreements or universally established international customs, or the principle of reciprocity.

To register a vehicle with diplomatic plates, the diplomatic mission should submit a note to the Ministry of Foreign Affairs enclosing the following:

- a) a copy of vehicle ownership proof (invoice or sale agreement),
 - b) two filled-in copies of an [application form requesting the Infrastructure and Environment Section of the Mazovia Voivodeship Office](#) to register a motor vehicle,
 - c) vehicle card, if issued,
 - d) vehicle registration card, if the vehicle was previously registered,
 - e) extract from the certificate of type approval or an equivalent document issued by the manufacturer or its authorized representative, certifying approval of the vehicle or motor vehicle exhaust emissions, and the certificate of a positive technical inspection (for new vehicles),
 - f) certificate of a positive technical inspection, if required,
- and :
- g) if the vehicle has been imported from a third country, i.e. from outside the EU – a customs certificate ([official](#) use form or [personal](#) use form);
 - h) if the vehicle has been imported from the EU: [Warszawa-Ursynów Tax Office form confirming the right to excise tax exemption](#), while for new vehicles: [VAT 23 form](#).

When submitting documentation to the Infrastructure and Environment Section of the Mazovia Voivodeship Office in Warsaw, apart from documents listed above, please enclose the registration plates if the vehicle has been registered. If the vehicle has been imported without registration plates or the plates must be returned to a registration authority of the country from which the vehicle was imported, the vehicle owner should attach a statement explaining why he/she cannot submit the registration plates, and, if applicable, give the exact name of such foreign registration authority.

Pursuant to the Regulation of the Minister of Infrastructure of 22 December 2003 concerning charges for the issuance of vehicle registration cards, temporary permits and registration plates (Journal of Laws 2016, No. 230, item 689), the following fees are levied:

- a) PLN 72.50 for issuing a vehicle registration card with a set of legalization stickers and a control sticker (registration card – PLN 54.00, control sticker – PLN 18.50),
- b) PLN 80.00 for vehicle registration plates,
- c) PLN 3.00 as vehicle registration fee,
- d) stamp duty (exemption possible on the basis of reciprocity).

Only missions and accredited members of their staff are entitled to diplomatic registration under international and Polish law. Vehicles with such registration may not be made available to any unauthorized natural or legal person. Failure to comply with this requirement may result in refusal to issue registration plates and a vehicle registration card for the mission's new vehicle. In the event of illegal use of a vehicle with CD registration, the police are authorized to confiscate the vehicle registration card and remove the vehicle registration plates.

If a vehicle is permanently removed from the Polish territory, or its owner has changed, the registration plates should be immediately – no later than within 14 days – returned to the Infrastructure Section of the Mazovia Voivodeship Office in Warsaw. This fact should also be communicated to the Ministry of Foreign Affairs, along with a copy of proof that the vehicle has been struck off the register, and a copy of the sale contract if the vehicle has been sold.

Failure to return diplomatic registration plates will result in freezing registration numbers for newly arrived mission members. This requirement is strictly enforced, which means that the Ministry will not approve diplomatic registration plates for newly accredited mission members as long as their predecessors do not return registration plates and the vehicle registration card to the competent authority. It is possible to re-register vehicles leaving Poland from diplomatic to export registration plates, which remain valid for 30 days pursuant to Article 74 of the Road Traffic Law.

In accordance with Article 72.1 of the Act of 20 June 1997 – Road Traffic Law (Journal of Laws of 2018, item 1990, consolidated text) and the Regulation of the Minister of Infrastructure of 11 December 2017 on vehicle registration and marking (Journal of Laws of 2017, item 2355), it is not possible to obtain diplomatic registration plates for a vehicle covered by a lease agreement. Such vehicles can only be registered with a county chief executive (*starosta*) competent for the registrant's place of residence, using standard registration plates. The Diplomatic Protocol is not involved in this kind of registration.

Pursuant to Article 71 of the above Act, the owner of a vehicle imported from abroad must register it in Poland within 30 days of crossing the Polish border.

3. Driving licence

Marshal's Office of the Mazovia Voivodeship, acting upon request of the Diplomatic Protocol, issues driving licences to staff members of diplomatic missions, consular posts, special missions of foreign states and international organizations, who enjoy diplomatic or consular privileges and immunities on the basis of laws, agreements, universally established international customs, and the principle of reciprocity, as well as to other people covered by such privileges and immunities.

The Act of 20 June 1997 – Road Traffic Law (Journal of Laws of 2018, item 1990, consolidated text) and the Drivers Act of 5 January 2011 (Journal of Laws of 2019, item 341, consolidated text) sets out requirements in respect of drivers and other traffic participants, as well as rules of road checks.

A first-time applicant for a driving licence must pass a state driving test and submit the required documents at a Voivodeship Road Traffic Centre.

Holders of foreign driving licences, as specified in road traffic conventions, may drive a motor vehicle in the Polish territory for up to six months after becoming permanently or temporarily resident. It is illegal for a person holding a foreign driving licence to drive a vehicle after that period, and can result in insurance claims in the case of a road accident.

A person who wants to apply for the substitution of his/her driving licence which was issued abroad by a state-party to road traffic conventions, or which is equivalent to the model driving licence specified in the conventions, submits the following documents to the Marshal's Office of the Mazovia Voivodeship:

- application of the MFA Diplomatic Protocol,
- official form with a signature, and a clear photo, format 3.5 by 4.5 centimetres, showing the applicant without a head covering or tinted glasses, three-quarter view with the left ear visible, face evenly lit,

- photocopy of the driving licence,
- authenticated translation of the driving licence.

Citizens of EU countries, Swiss Confederation and European Free Trade Agreement states-parties to European Economic Area who hold national driving licences and live in Poland are exempt from the obligation to substitute their driving licences for a Polish driving licence, pursuant to the Drivers Act of 5 January 2011 (Journal of Laws of 2019, item 341, consolidated text).

4. Vehicle insurance

According to Polish regulations, diplomatic missions, consular posts and members of their staff must take out civil liability insurance in case of any damage caused while using their vehicles (third party liability insurance). It is illegal to drive on Polish public roads without a third party liability insurance. If they fail to do so, members of diplomatic missions and consular offices will be liable for any damages caused through their fault while driving a motor vehicle.

We recommend that you take out additional voluntary insurance, such as accident insurance for the driver and passengers, and comprehensive motor insurance in case the vehicle is damaged or stolen. These policies, combined with civil liability insurance, provide full insurance coverage for vehicles and their owners. A vehicle owner who has not purchased voluntary insurance bears full liability for any financial consequences of accidents or vehicle theft.

X. Customs duties and taxes

1. Exemptions from customs duties

Pursuant to Article 41 of the Act of 19 March 2004 - Customs Law, consolidated text of 8 December 2007 (Journal of Laws of 2018, item 167, consolidated text), on condition of reciprocity, and provided that they are not re-sold to persons other than members of the diplomatic corps within three years from the date of the first use, the following articles are exempt from all customs duties, taxes and other import fees, in accordance with Article 36 of the Vienna Convention on Diplomatic Relations of 1961, Article 50 of the Vienna Convention on Consular Relations of 1963, and Article 35 of the Convention on Special Missions of 1969:

- a) articles for official use of foreign diplomatic missions, consular posts and special missions in Poland, as well as international organizations based or having their representation in Poland;
- b) articles for private use of foreign states' diplomatic representatives accredited in Poland, members of special missions and their diplomatic staff, staff members of international organizations and other persons enjoying privileges and immunities on the basis of laws, agreements or universally established international customs, and family members forming part of their household;
- c) articles for private use of consular officers of foreign states and family members forming part of their household;
- d) articles for private use of other persons belonging to the staff of diplomatic missions, consular posts and special missions in the Republic of Poland.

The following shipments are exempt from customs inspection on condition of reciprocity:

- articles shipped to foreign diplomatic missions, consular posts and special missions in Poland, as well as international organizations based or having their representation in Poland,
- articles shipped to persons entitled to diplomatic immunities and privileges,
- stamped official mail addressed to foreign diplomatic missions, consular posts and special missions in Poland, and stamped mail sent by them.

A customs certificate, authenticated by the MFA Diplomatic Protocol, is the only document that will be required by customs offices when clearing articles which diplomatic missions and members of their staff have imported for official or private use.

To obtain the Diplomatic Protocol's authentication, the diplomatic mission should furnish:

- two original customs certificates (for [personal](#) or [official](#) use), filled in according to instructions applicable to a given importing entity, signed by the mission head, dated, and stamped by the mission,
- copy of the articles' specification, provided by the sender of the imported shipment, or a copy of the order.

Separate certificates should be drawn up for importing liquor, wine and cigarettes, specifying the quantity of liquor and wine in litres, and of cigarettes – in pieces.

2. Personal property

Customs clearance of personal property of diplomatic missions' staff is based on a customs certificate authenticated by the Diplomatic Protocol.

To obtain such authentication, the diplomatic mission should address a diplomatic note to the Protocol, attaching:

- two original [customs certificates](#), filled in, signed by the mission head, dated, and stamped by the mission,
- two inventories of personal property.

Personal property can be imported in several separate lots, within 12 months of taking up official duties in Poland. The mission's administrative and technical staff are exempt from customs duties for a period of six months from the day of first entry into Poland.

In accordance with Article 61 of the Community Customs Code, the export of personal property outside the Community customs area must be declared beforehand for export clearance purposes, in written, electronic or oral form (without the mediation of the Ministry of Foreign Affairs).

Antiques imported from abroad by persons entitled to diplomatic privileges and immunities, including for the purposes of interior decoration of diplomatic missions and consular posts, do not require a permit to be exported abroad. The export of such articles should be based on a certificate issued by a voivodeship art conservator.

Any document sufficiently confirming this fact may serve as proof that antiques have indeed been imported from other European Union member states to Poland for a specific period of time. In particular, this can be a statement by the antiques' owner, authenticated by a notary public or a state organ of the country of origin (including a diplomatic mission or consular post in Poland); a civil law contract or other document validating the ownership of antiques (e.g., sale contract or invoice confirming the purchase of an antique outside Poland); or a contract with a moving company.

3. Direct charges and taxes

Diplomatic missions and their members are exempt, on condition of reciprocity, from the following direct charges and taxes:

- a) civil law action tax – on the basis of Article 8.1 of the Act of 9 September 2000 on civil action tax consolidated text of 26 May 2017 (Journal of Laws of 2017, item 1150, consolidated text); and stamp duty – on the basis of Article 7.1 of the Act of 16 November 2006 on stamp duty consolidated text of 10 May 2018 (Journal of Laws of 2018, item 1044, consolidated text);
- b) real estate tax – on the basis of Article 2.3.1 of the Act of 12 January 1991 on local taxes and fees consolidated text of 6 July 2018 (Journal of Laws of 2018, item 1445, consolidated text);
- c) means of transport tax – on the basis of Article 12.1.1 of the Act of 12 January 1991 on local taxes and fees consolidated text of 6 July 2018 (Journal of Laws of 2018, item 1445, consolidated text);
- d) local fee – on the basis of Article 17.2.1 of the Act of 12 January 1991 on local taxes and fees consolidated text of 6 July 2018 (Journal of Laws of 2018, item 1445, consolidated text);
- e) dog tax – on the basis of Article 18a.2.1 of the Act of 12 January 1991 on local taxes and fees consolidated text of 6 July 2018 (Journal of Laws of 2018, item 1445, consolidated text).

4. VAT and excise tax

Taking into account international practice, the Ministry of Foreign Affairs grants, on condition of reciprocity, the privilege VAT exemption (pursuant to the Regulation of the Minister of Finance of 29 September 2005 on instances and procedures for VAT reimbursement to diplomatic missions, consular posts, staff members of such missions and posts, as well as other persons enjoying equivalent status on the basis of laws, agreements or international customs – Journal of Laws of 2005, No. 193, item 1618), and excise tax exemption pursuant to the Regulation of the Minister of Finance of on excise tax exemptions, consolidated text of 28 December 2018 (Journal of Laws of 2018, item 2525) to diplomatic missions, consular posts and missions of international organizations accredited in Poland, for the purposes of official purchases of missions and private purchases of their staff.

The subjective and objective scope of VAT and excise tax exemptions is based on the principle of reciprocity, and as such depends on the extent of subjective and objective exemptions enjoyed by Polish diplomatic missions and their staff members in countries represented by the diplomatic missions accredited in Poland.

Applications for VAT refunds ([addressed to Head of 2nd Tax Office](#)) should be made separately for each quarter of the year and sent with a note to the MFA Diplomatic Protocol after each quarter covered by the application. Applications for excise tax

refunds ([addressed to Head of the Warszawa-Ursynów Tax Office](#)) should be made separately for each quarter of the year and sent with a note to the MFA Diplomatic Protocol within 25 days following the end of each quarter.

Please note that you cannot file an amendment/correction concerning the same quarter if your submitted application has already been considered and the competent Head issued a decision on tax refund. Under such circumstances, the final decision can only be revoked by applying a special procedure as set out in Articles 240 and 241 of the Tax Law Act, consolidated text of 23 March 2018 (Journal of Laws of 2018, item 800, as amended), provided that the conditions specified by the above regulations have been met.

Once filled in, signed by the mission head, dated, and stamped with the mission's seal, the application forms should be complemented with attachments ([VAT for official use/ VAT for personal use/ excise tax for official use/ excise tax for personal use](#)) comprising a list of goods (including car registration numbers, if applicable) that have been purchased for the official purposes of the mission and the private purposes of its members.

After the applications and attachments have been certified by the Diplomatic Protocol, the mission attaches original invoices and sends the documentation to the Head of the Second Tax Office Warszawa-Śródmieście at 15 Jagiellońska Street in Warsaw, and/or the Head of the Warszawa-Ursynów Tax Office at 3 Wynalazek Street in Warsaw.

The Head of the Second Tax Office and/or the Head of the Warszawa-Ursynów Tax Office refund(s) VAT and excise tax if the applications meet the following requirements:

- a) the applications come with original invoices (if the originals are submitted to one of the offices mentioned above, their authenticated photocopies should be submitted by the mission to the other),
- b) the seller has issued invoices to the relevant mission in the case of official purchases and/or to its entitled staff member in the case of private purchases (giving the first and last name, and the name of the mission),
- c) invoices have sorted and numbered according to the attached goods inventory,
- d) fuel invoices contain the registration number of the authorised vehicle.

Original invoices attached to the applications will be returned to the mission after tax has been refunded and the relevant authority has stamped and perforated the invoices.

When a mission or its members return goods charged with VAT and/or excise tax to the seller, the seller refunds the money upon receipt of an original invoice. Next, the seller informs the Head of the Second Tax Office and/or the Head of the Warszawa-Ursynów Tax Office (depending on the tax refund) about the refund, and forwards the

photocopied invoice he/she has received from the mission or its members. If the above refund was made after the Heads of the Offices refunded taxes arising from the invoice, the amount in question is deducted from the taxes to be refunded for the subsequent period.

VAT and excise taxes on a purchased vehicle are refunded if the vehicle has not been sold to persons other than diplomatic corps members within three years from the date of purchase. Should a vehicle have been sold to a person other than a diplomatic corps member before the end of that period, the mission or its member must pay all taxes they have been exempt from to the relevant tax office.

As regards fuel purchases, tax is refunded if the invoice contains the registration number of the vehicle with diplomatic plates.

5. Intra EU purchase of goods and services

In accordance with:

- 1) Article 151.1(a) of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (Official Journal of the European Union L 347 of 11 December 2006), and
- 2) Article 12.1(a) of Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty (Official Journal of the European Union L 9 of 14 January 2009),

diplomatic missions and consular posts established in the territory of the European Union, and their entitled staff can purchase VAT-free and excise tax-free goods and services in the EU member states. Model VAT and/or excise duty exemption certificate is set out in Annex II to Council Implementing Regulation (EU) No 282/2011 of 15 March 2011 laying down implementing measures for Directive 2006/112/EC on the common system of value added tax (Official Journal of the European Union L 77 of 23 March 2011).

To assert their right to this privilege, missions seeking VAT and/or excise tax exemption should submit to the Diplomatic Protocol:

- two filled-in copies of the exemption certificate form in Polish or English, and
- certified photocopy of the invoice or order, specifying the type of purchased goods and services, and their buyer.

For guidance on how to fill in the VAT and/or excise duty exemption certificate, please refer to the explanatory notes in Annex II to the above Regulation.

6. Personal income tax

Exemption from income tax (as referred to in Article 3.3 of the Act of 26 July 1991 on personal income tax, consolidated text of 20 July 2018 (Journal of Laws of 2018, item 1509) on foreign income applies to staff members of diplomatic missions and consular posts, other persons enjoying diplomatic or consular privileges and immunities on the basis of agreements or universally established international customs, as well as their family members forming part of their household, if they are not Polish citizens and are not permanently resident in the Republic of Poland.

7. Real estate tax and perpetual usufruct fee

Pursuant to Article 2.3.1 of the Act of 12 January 1991 on local taxes and fees (consolidated text, Journal of Laws of 2014, item 849), real estate tax-free is, on condition of reciprocity, the property of foreign states and international organizations, and the property they hold in perpetual usufruct, if such property serves as premises of diplomatic missions, consular posts and other missions enjoying privileges and immunities on the basis of laws, agreements or international customs. The principle of reciprocity is each time examined and verified.

The diplomatic missions, consular posts and representations of international organizations which have acquired the right of perpetual usufruct should pay an annual fee (a percentage rate of the plot's price) for the entire duration of the right. This obligation arises from Article 238 of the Civil Code Act of 23 April 1964 (consolidated text, Journal of Laws of 2014, item 121), and Article 71 of the Real Estate Management Act (consolidated text, Journal of Laws of 2014, item 518). The percentage rate is laid down in the contract. Under Article 72.3.5 of the Real Estate Management Act, a rate of 3 percent should apply to real estate used for diplomatic purposes. As perpetual usufruct fees fall within civil law, they are not subject to dues and taxes exemptions set out in Article 23 of the 1961 Vienna Convention on Diplomatic Relations.

XI. Exhibitions and antiques

1. Import and export of antiques

Under Article 59.1.5 of the Monument Protection Act of 23 July 2003 (Journal of Laws of 2014, item 1449, consolidated text), antiques imported from abroad by holders of diplomatic privileges and immunities do not require export permits. However, the export of such articles should be based on a certificate issued by a voivodeship art conservator. To draw up such certificate, the voivodeship art conservator must be presented with proof that the articles in question have been brought to Poland for a specific period of time and purpose. As there are no grounds on which customs authorities could certify the import of antiques from another European Union member state to Poland, any document sufficiently confirming this fact may serve as proof that the antiques have indeed been brought to Poland. In particular, this can be the owner's statement, authenticated by a notary public or a state organ of the country of origin (including a diplomatic mission); a civil law contract or other document validating the exporting person's ownership of the antiques (e.g. sale contract, invoice confirming the purchase of the antique outside Poland, contract with a moving company).

2. Import and export of exhibitions

General rules of customs clearance under temporary importation procedure apply to the import of exhibits for exhibitions, trade fairs, expositions, film screenings and similar events organised outside the premises of diplomatic missions, when such items will be re-exported after the end of the period for which they have been imported in the first place.

The temporary importation procedure is governed by the provisions of Articles 137 - 144 of Council Regulation (EEC) No. 2913/92 of 12 October 1992 establishing the Community Customs Code (CCC) (Official Journal EC L 302 of 19 October 1992, as amended); and Articles 496 - 523 and 553 - 584 of Commission Regulation (EEC) No. 2454/92 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No. 2913/92 of 12 October 1992 establishing the Customs Code Implementing Provisions (CCIP) (Official Journal L 253 of 11 October 1993, as amended).

The temporary importation procedure can be applied under a total or partial import duty exemption regime. Total import duty exemption is possible for goods categories specified in Articles 556-578 of CCIP, subject to certain conditions. The payment of such duties will be suspended, but in some cases the customs authority can collect a security towards any import duties that may arise. In turn, the temporary importation procedure with partial customs duty exemption applies to goods which are not listed in

the catalogue of the goods that can be fully exempt from import duties, and to those listed items that do not fulfil all conditions for a temporary importation with total exemption.

To use one of those procedures you need permission of a customs authority. Permission is granted on request of the entity that uses the goods or arranges for their use. Permission should be requested in writing by choosing one of the following:

- model form specified in Annex 67 to CCIP,
- through a summary procedure, i.e. by filing a summary customs declaration on the SAD form, or
- ATA carnet.

When using one of the above written submissions, except for the ATA carnet, you must provide a security (in line with Article 581 of CCIP), which will be returned upon the re-export of goods outside the EU customs territory. Goods can remain under temporary importation procedure for between six months and two years (which can be prolonged in justified situations).

With regard to the import of exhibits for exhibitions, trade fairs, expositions and film screenings in Poland, we recommend that you use a temporary importation procedure with the ATA carnet.

The ATA carnet is a special international customs document, which also acts as an application for temporary importation procedure, a customs declaration, and a document securing import duties for the purposes of temporary export, import, and transit of goods. Currently, the ATA Carnet System is in force in 71 states parties to the Customs Convention on the ATA Carnet for the Temporary Admission of Goods of 6 December 1961 (Journal of Laws of 1969, No. 30, item 242) and the Convention on Temporary Admission, done at Istanbul on 26 June 1990 (Journal of Laws of 1998, No. 14, item 61, and Journal of Laws of 2002, No. 198, item 1668).

For more information about ATA carnets, please go to www.kig.pl, a website of the National Chamber of Commerce, which is responsible for issuing ATA carnets in Poland.

XII. Employment

1. Employment of local staff

Diplomatic missions and their members have the right to hire local employees. The term "local employee" means a Polish citizen or a foreigner who is legally resident in Poland on the basis of a long-term residence permit. Persons who stay in Poland on the basis of short-term visas or under visa-free travel regime may not be employed.

Local staff should be taken on on the basis of an employment contract that conforms with the European Union labour law. Diplomatic missions must respect these laws when employing local staff. Regulation (EC) No. 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) (Official Journal of the European Union of 2008 L 177) is the basic legal act in this regard. In accordance with the quoted Regulation, it is up to the parties to choose the law governing the employment contract. However, employees should not be deprived of the protection afforded them by the law which would apply by default, and which cannot be derogated by an employment contract (mandatory rules).

The Labour Code Act of 26 June 1974 (Journal of Laws of 2018, item 917) lays down key rules of the protection of workers' rights in Poland. Under Articles 18.1 and 18.2 of this Act, provisions of an employment contract may not be less advantageous to the employee than the binding labour law. If this requirement is not met, such provisions are null and void, and are replaced by relevant labour law provisions. It is irrelevant whether the employee has agreed to such provisions in writing.

This means that Polish labour law has unconditional binding force (*ius cogens*) with regard to the protection of employees' rights. Derogation from this law to the detriment of the employee is not permissible.

The only exception to the above rule is Article 25 of the Rome I Regulation, whereby the provisions of the Regulation do not apply to an international agreement with conflict-of-law rules concerning contractual obligations, where the European Union member state is a party to such agreement. In such a case, provisions of the international agreement are applied to determine the law applicable to individual contracts of employment.

As payers, diplomatic missions must also calculate, deduct from an ensured person's income, account for, and pay contributions for each calendar month on account of:

1. Social insurance – under the Social Insurance System Act of 13 October 1998 (consolidated text, Journal of Laws of 2019, item 300, as amended),
2. Labour Fund – under the Promotion of Employment and Labour Market Institutions Act of 20 April 2004 (Journal of Laws of 2018, item 1265),
3. Health insurance – under the Public-Funded Healthcare Benefits Act of 27 August 2004 (Journal of Laws of 2018, item 1510).

The Ministry of Foreign Affairs does not issue identity cards to local employees. However, the diplomatic missions are requested to submit a list of their local staff on an annual basis.

Moreover, the Ministry organizes regular briefings on labour law for the diplomatic corps accredited in Poland. Materials from these meetings are posted on the MFA website in the Diplomatic Protocol section.

According to the widely recognized concept of limited state immunity, jurisdictional immunity of a foreign state does not cover civil law actions (*acta de iure gestionis*) undertaken by that state's organs in the territory of another state. Consequently, the diplomatic mission of a foreign state does possess the capacity to be a party in labour law cases under Polish law. This means that a member of the diplomatic mission's local staff can effectively bring a labour law claim before the Polish court. The defendant's absence (diplomatic mission's representative) during the trial does not preclude holding the trial and handing down a judgement.

If no appeal is made within the prescribed period, the court's judgement (sentence or decision) becomes valid.

2. Employment of family members

Family members of the EU diplomatic missions' staff, and of the mission staff of countries that have signed bilateral agreements with Poland about the employment of family members, can be employed in Poland while retaining their privileges and immunities.

Applicable to employment issues are the following regulations of the Minister of Labour and Social Policy, which came into force, respectively, on 29 January 2009 and on 2 February 2009, and are based on Article 90.1 and 90.5 of the Promotion of Employment and Labour Market Institutions Act of 20 April 2004 (Journal of Laws of 2018, item 1265):

- Regulation of the Minister of Family, Labour and Social Policy of 7 December 2017 on issuing work permits to foreigners and the inscription of the statement on employment of a foreigner into the statement record (Journal of Laws of 2017, item 2345);
- Regulation of the Minister of Family, Labour and Social Policy of 8 December 2017 on instances in which work permits for aliens are issued regardless of the particular criteria of issuing work permits to foreigners (Journal of Laws of 2017, item 2347);
- Regulation of the Minister of Labour and Social Policy of 21 April 2015 cases in which the performance of work by foreigners without the necessity to obtain work permits is permissible (Journal of Laws of 2018, item 2273).

Under Polish law, persons who take on jobs on the basis of bilateral agreements concerning the employment of family members of diplomatic missions' staff in Poland that provide for reciprocal issuance of work permits, should submit their applications to the Ministry of Foreign Affairs at least 45 days prior to starting work or the expiry of the existing permit. The relevant procedure is described below:

- a) a note concerning gainful employment of a family member of mission staff should be submitted to the Ministry of Foreign Affairs;
- b) the note should include the Polish employer's application for an foreigner's work permit in Poland (application forms are available at the Marshal's Office of the Mazovia Voivodeship, 3/5 Plac Bankowy, at the Labour Market Department of the Office at 3/5 Marszałkowska and on the Office's website at <http://www.mazowieckie.pl>);
- c) all blank spaces must be filled in, make sure to tick "A" where it says "the type of permit." The application's attachments should be listed in point 4 of the application. Applications should be filled in legibly, in block capitals, in the Polish language;
- d) the Ministry provides the Embassy with a work permit issued by a territorially competent voivode.

If family members are entitled to immunity from administrative and civil jurisdiction of the receiving state, pursuant to Article 31.1 (c) and Article 37 of the Vienna Convention on Diplomatic Relations of 1961, such immunity will not apply to any activities related to gainful employment. Immunity from criminal jurisdiction of the receiving state applies to all acts performed in the course of gainful employment.

Pursuant to the Vienna Conventions, family members are subject to tax and social security regulations of the receiving state with regard to all matters concerning gainful employment pursued in that country.

If gainful employment is to be taken up by a family member of the staff of a diplomatic mission or consular post of a state with which no bilateral agreement has been concluded, or a family member of the staff of an international organization, this fact should be notified to the Diplomatic Protocol. At the same time, the mission should waive privileges and immunities to which that person has been entitled until then, and return his/her ID card issued by the Polish Ministry of Foreign Affairs. Thereafter, the family member of the staff of a diplomatic mission will be treated like any other alien seeking gainful employment in Poland.

3. Employment of private servants

Applications by mission members planning to take on a private servant who is not a Polish citizen and does not have the right of permanent residence in Poland, are processed in the following way (in line with the above-mentioned Regulations of the Minister of Family, Labour and Social Policy).

The intention of employing a private servant should be notified before his/her arrival in Poland:

- by the Ministry of Foreign Affairs of the sending state, or by headquarters of an international organization if the mission member employing the private servant is accredited on the basis of a note of such Ministry or headquarters,
- by the diplomatic mission in Poland if the mission member employing the private servant is accredited on the basis of that mission's note, due to visa-free travel regime between a given state and Poland.

The private servant submits his/her visa application to a territorially competent Polish consular post in the state of his/her residence (unless he/she is a national of a country that is exempt from visa obligation for entry into Poland). A copy of the person's employment contract as private servant should be attached to the application. Such copy should be drafted in:

- a) [a language understandable to the future employee](#), and
- b) a language understandable to the future employer, and
- c) [Polish](#) language.

The contract should lay down, in particular, the employee's and the employer's rights and obligations, specify the place and time of work, guarantee the employee at least a minimum monthly remuneration mandated by Polish law, set out working conditions, and obligate the employer to ensure that the private servant has money to pay for his/her trip home. The contract provisions must guarantee the protection of the employee's rights at least to the extent provided for in the Polish labour law, specifically the Labour Code of 26 June 1974 (Journal of Laws of 2018, item 917).

Together with his/her visa application, the private servant should also submit a certificate of health insurance or travel medical insurance with a minimum insurance coverage of EUR 30,000. The insurance should be valid for the planned stay of the foreign national in Poland, and cover all expenses which could arise during such stay in the event that the servant must return to the home country for medical reasons, requires urgent medical or hospital treatment, or dies. The insurance policy must obligate the insurer to directly reimburse healthcare institutions for costs of medical

services provided to the insured servant, based on an invoice issued by such institution. The consul will verify submitted documents and meet the visa applicant. The visa will be issued or refused based on the outcome of these activities. The diplomatic mission notifies the Ministry of Foreign Affairs of the private servant's arrival pursuant to Art. 10.1.c of the Vienna Convention on Diplomatic Relations.

At least 60 days before the start of the employment, the mission submits the following to the Ministry:

A. Application for granting a foreigner's work permit valid in Poland and a certificate of clean criminal record or the person acting on his/her behalf. Application forms are available at the Marshal's Office of the Mazovia Voivodeship, 3/5 Plac Bankowy, at the Labour Market Department of the Office at 3/5 Marszałkowska Street and on the Office's website at <http://www.mazowieckie.pl>. The application should be filled in in Polish, in legible writing (in block capitals), according to the following guidelines:

- please provide the employer's first and last name, position and address on page 1 where it says "applicant's seal";
- tick "A" where it says "the type of permit";
- all blanks in the application form need to be filled in. If a question does not relate to the person filling in the form, "does not apply" should be written.

The application form should be accompanied with:

- copies of a valid travel document (personal data) and ID card of the member of the mission - the future employer of the private servant;
- a copy of each page of the private servant's valid travel document on which official entries have been made, along with the original document.

B. Copy of the employment contract drafted in:

- a language understandable to the future employee, and
- a language understandable to the future employer, and
- the Polish language.

a certificate stating that a private servant has healthcare benefits (or medical insurance) ensured to him/her in the Republic of Poland. The diplomatic mission should provide a copy of the document confirming that social security premiums have been paid if such premiums are mandatory in the private servant's home country.

C. Application form (in two copies) for issuing the private servant with an ID that will give him/her the right to enter and stay in Poland; please attach the private servant's passport with two photocopies with personal details and two photos.

The Ministry of Foreign Affairs will forward the application for the private servant's work permit to the Mazovia Voivodeship Office. The Office usually takes 30-45 days to process the application.

The person concerned will be handed his/her work permit (valid for one year), passport and ID card issued by the MFA during a meeting at the Diplomatic Protocol.

The same procedure will apply whenever the mission wants to extend the work permit and ID.

Within seven days of the private servant's start of work, the diplomatic mission should provide the Ministry of Foreign Affairs with an annex to the private servant's employment contract, signed by the employer and employee. The annex should specify the exact date when the private servant will start his/her duties as well as the private servant's bank account number in a bank in Poland.

The application for granting or renewing the work permit for a private servant should be handed in to the Ministry of Foreign Affairs in a manner that will make it possible to transfer this document to the Mazovia Voivodeship Office no sooner than 90 days and no later than 30 days prior to the planned start of work/expiry of the valid work permit. The application form is available on the Mazovia Voivodeship website at www.mazowieckie.pl.

While applying for the renewal of a work permit (sample) the application forms should be accompanied with the following:

- copies of a valid travel document (personal data) and ID card of the mission member - the future employer of the private servant;
- copy of each page of the private servant's valid travel document on which official entries have been made, along with the original document;
- contract between the employer and the foreigner-private servant forming the basis for performance of work under the existing work permit;
- documents confirming the payment of health insurance and social security premiums (if social security is mandatory in the private servant's home country).

Applications for renewing the private servant's residence and work permits will be considered in the same way as applications for the work permit.

In order to secure renewal of such documents, a diplomatic mission could be requested to present proof of regular wire transfers showing that the employer has been paying monthly remuneration to the private servant's bank account; documents confirming that

the employer has been paying social security premiums; and proof that the private servant has been guaranteed medical care in Poland.

If a mission member has terminated his/her stay in Poland ahead of schedule, the mission should return to the Diplomatic Protocol the diplomatic ID cards of both the diplomat and his/her private servant.

Please also note that:

- mission members' private servants, if they are not Polish nationals or are not permanently resident in Poland, are exempt from dues and taxes on the remuneration they receive by reason of their employment. However, they are not entitled to other privileges or immunities;
- if a member of a diplomatic mission wishes to employ a foreign national under procedures other than those described above, general procedures will apply, including the assessment of the labour market situation and the payment of social security and health insurance premiums.

XIII. Medical care

Staff members of diplomatic missions of non-EU states may avail themselves of cost-free medical services in Poland only on the basis of bilateral agreements that specify the scope of medical services provided by the contracting parties, and the persons entitled to them. If no such agreement exists, staff members of diplomatic missions may use medical services at public and private health institutions on a commercial basis.

Staff members of diplomatic missions of the EU member states are entitled to cost-free medical care on the basis of a European Health Insurance Card issued in their country. An EHIC holder will receive cost-free medical care at facilities that have contracts with the National Health Fund. If a patient does not have an EHIC, or uses a facility that does not have a contract with the National Health Fund, the service will be provided on a commercial basis.

The EHIC holder can only receive cost-free services within the framework of basic health care, e.g. examination and consultation by a primary care physician, after presenting the card. The physician may order the patient to undergo diagnostic testing to confirm initial diagnosis, which will validate referral to other specialists or for hospital treatment.

XIV. Radio frequencies

Pursuant to Article 27 of the Vienna Convention on Diplomatic Relations of 1961, diplomatic missions may install and use wireless transmitters only with the consent of the receiving state. Accordingly, in order to use ground and satellite radio transmitters for communication purposes when exercising diplomatic and consular duties in the Polish territory, it is necessary to obtain approval of the President of the Office of Electronic Communications (UKE).

To secure such approval, please address a note verbale to the MFA Diplomatic Protocol. The note should include:

- a) address where the radio station is to be installed,
- b) identification marking or radio station call sign,
- c) operating hours and period of the radio station,
- d) geographical coordinates and names of towns/cities radio communication will be maintained with,
- e) output power of the radio station's transmitter or transceiver,
- f) the radio station's frequency of transmission and reception,
- g) type of emission,
- h) technical data of the transmitting and receiving antenna (gain, polarization, azimuth of maximum radiation, angle of elevation, vertical and horizontal characteristics of radiation, elevation above ground level), date of installation and commissioning of the radio station;
- i) building owner's or manager's written consent for installing the radio station.

This information is essential to ensure that the devices in question are not interfered with and do not interfere with other installations. Should radio apparatus be used contrary to the conditions laid down in the consent, the diplomatic missions, consular posts or representations of international organizations will be required to immediately eliminate any defects. Failure to comply with such request within the period fixed by the President of the Office of Electronic Communications may result in revocation of the consent to use the device.

XV. Organization of elections at diplomatic missions and consular posts

Diplomatic missions may organise elections on the territory of the Republic of Poland for citizens of their countries residing in Poland. There is no requirement to obtain the receiving state's consent for this. However, as special measures need to be taken to ensure security during the vote, the diplomatic missions of foreign states should inform the Ministry of Foreign Affairs, at least 14 days in advance, of their intention to conduct elections at polling stations on the premises of diplomatic missions or consular posts. In your note to the Ministry, please indicate the date/dates and time of elections, and the expected number of participants. When submitting this information, the diplomatic mission should request assistance in ensuring security during elections.

If a diplomatic mission intends to hold the vote at a location other than the premises of the mission or consular post, it is necessary to obtain the MFA's approval for the organisation of elections at such location.

XVI. Security

1. Ensuring security of diplomatic missions

The Protection of Diplomatic Missions Section of the Warsaw Police Headquarters (Warsaw, 25/33 Włochowska Street, building 7B) is tasked with providing security to the diplomatic missions, consular posts, missions of international organizations, and residences of their heads in Warsaw.

The following hotlines are at the disposal of mission representatives:

section head (front desk): (22) 603-48-09

deputy section head: (22) 603-44-05

duty officer (27/7): (22) 603-48-10 and (22) 603-43-14

fax: (22) 603-48-13

Communication is possible in Polish, English and German.

Security is provided in the form of:

- permanent guard posts (currently only at residences and some embassies that need special protection),
- foot patrols,
- vehicle patrols.

The Warsaw Police Headquarters also handles proceedings concerning acts to the detriment of missions and their staff. Depending on the kind of threat and incident, such acts should be reported to local police stations according to standard procedures, or, in an emergency, by calling 997 or 112 (mobile phones).

2. Firearms licences

The legal acts listed below lay down the rules of licensing, purchasing and holding of firearms by staff members of diplomatic missions and consular posts, and persons enjoying equivalent status on the basis of international agreements:

- Act of 21 May 1999 on firearms and ammunition (consolidated text, Journal of Laws of 2019, item 284),
- Regulation of the Minister of the Interior and Administration, and the Minister of Foreign Affairs of 17 March 2000 on the procedure and rules of issuing firearms licences to staff members of diplomatic missions and consular posts, and to persons enjoying equivalent status on the basis of international agreements (Journal of Laws of 2000, No. 18, item 236).

Under Article 39.1 of the above Act, staff members of diplomatic missions and consular posts, and persons enjoying equivalent status on the basis of international agreements, may possess firearms and ammunition on the basis of international agreements or the principle of reciprocity, for the purposes of personal protection, hunting, sports, as collection items and memorabilia.

To import and export firearms and ammunition you must obtain a relevant certificate issued by a competent consul of the Republic of Poland, after receiving a positive opinion by State Protection Service Chief Officer. The certificate substitutes for a firearms licence for up to 30 days from the day the firearms and ammunition were imported (Article 41.1 of the Act).

Firearms licences are issued according to procedures envisaged in the aforementioned Regulation, for the duration of the bearer's functions in diplomatic missions and consular posts in Poland. Under the Regulation, the mission addresses a note to the MFA Diplomatic Protocol, along with:

- application form for a temporary firearms licence; filled in in Polish; specifying all firearms owned, their type, name, make, calibre and serial number; and stamped with the seal of the diplomatic mission. The application is then forwarded to the competent Voivodeship Police Headquarters,
- two 3 by 4 cm photos,
- copy of a document equivalent to a firearms licence, issued by the competent organ of the state of which the person concerned is a citizen, and authenticated by a consular post of that state, or
- certificate issued by the above-mentioned organ, stating that the regulations of the state in question do not require a licence for a given type of firearm,
- translation into Polish of the above-mentioned documents, authenticated by a sworn translator.

Pursuant to Article 12.2 of the Act, a certificate authorizing the purchase of the type and number of firearms specified in the licence, and of ammunition, will be issued at the request of the interested party.

An ID card of a temporary firearms licence holder should confirm the fact that the alien has been issued with such licence (§ 2 of the Regulation).

Such an ID card is valid only with the ID card issued by the Ministry of Foreign Affairs. It authorizes the holder to purchase ammunition covered by the licence, except for

ammunition for firearms which are collection items or memorabilia (§ 3 of the Regulation).

The ID card of a firearms licence holder must be returned to the Diplomatic Protocol upon conclusion of the holder's functions in the Republic of Poland (§ 4.2 of the Regulation).

The person concerned is issued with a firearms licence for the purposes of personal protection if he/she has presented credible information pointing to an actual security threat (Article 10 of the Act).

A firearms licence may be revoked for reasons set out in the Act (Article 18).

3. Assemblies near diplomatic missions

The Ministry of Foreign Affairs will notify diplomatic missions of any public assemblies to be held near their offices if such assemblies have been registered beforehand by the competent commune organ, pursuant to the Act of 24 July 2015 – Law on Assemblies (Journal of Laws of 2018, item 408). The competent police commander is also notified of the planned assembly in order to ensure full security of the mission concerned.

Article 3.2 of the Act provides for the possibility of holding a so-called spontaneous assembly, that is an assembly which takes place following a sudden event which is impossible to predict and which connected with public life, whose organisation at a different date would be pointless or of limited relevance from the point of view of public debate. In the case of such assemblies, the law does not impose the obligation of the organiser to notify the municipality. Therefore, the Ministry is not able to inform diplomatic missions of such assemblies. In the event of spontaneous assembly, the police takes all necessary actions to ensure security of diplomatic mission seats and in justified cases can disperse such assembly.

For updates on planned marches, demonstrations and public assemblies, please go to the Warsaw City Hall website at:

https://bip.warszawa.pl/Menu_przedmiotowe/ogloszenia/zgromadzenia_publiczne/default.htm

XVII. Road traffic regulations

1. Road checks, procedures applicable to traffic violations committed by persons covered by diplomatic privileges and immunities

In justified cases, a police officer may stop a vehicle with diplomatic registration plates, and check the vehicle's and driver's documents. The police officer has the right to demand that the driver undergo a breathalyser test; persons covered by jurisdictional immunity may refuse this test.

The police officer will prevent a person believed to be under the influence of alcohol from driving so as to avert any road traffic dangers. To enforce this, the police officer may ask the person concerned to leave his/her vehicle keys on deposit, or to hand over the car to another person he/she designates. Should the driver refuse, the police officer may use a wheel clamp or other means to prevent such person from driving. The same procedure applies to drivers who have been tested positive for alcohol with a breathalyser. Police officers conducting the check will each time inform the Ministry of Foreign Affairs of all traffic rules violations committed by persons enjoying privileges and immunities.

The Ministry wishes to remind you that it is forbidden to drive under the influence of alcohol. Under Polish law, a person driving under the influence of alcohol, i.e. when his/her blood alcohol content is higher than 0.2 permille, is liable to arrest or fine. A driver whose blood alcohol content exceeds 0.5 permille is liable to imprisonment.

Police officers or other authorized authorities investigate each Road Traffic Code infringement. An important element of the investigation is to determine whether the driver was protected by immunity while committing the offence/crime as well as whether the sending state imposes fines for traffic violations committed by foreign missions' members.

Once established that the person who has committed an offence is a mission member (or a family member thereof) of a country where fines are imposed on the Polish diplomatic mission's staff members, a police officer may fine such a perpetrator. The legal basis for this is Article 5 paragraph 3 of the Act of 24 August 2001 Code of Proceedings in Cases of Petty Offences (Journal of Laws of 2013, item 395 consolidated text, as amended) according to which proceedings in cases of petty offence may be instituted against members of diplomatic missions of a foreign state with which there is no relevant agreement in place and the state in question does not ensure reciprocity.

Fines can be inflicted also on international organisations' staff members, who do not enjoy full immunity from jurisdiction in Poland pursuant to an international agreement or a statute.

Whenever traffic law regulations has been violated by an immunity-covered staff member of the mission of a country where no fines are inflicted/imposed upon the Polish diplomatic mission's staff, police officers or other authorised authorities will look into the matter in order to establish if the person concerned enjoyed immunity when the offence in question was committed. In such cases, the Ministry will expect cooperation from diplomatic missions and representations of international organizations, in compliance with the norms of law and international customs.

Persons who do not enjoy privileges and immunities and drive vehicles with diplomatic registration plates will be treated as ordinary traffic participants, which means that police officers and other authorised authorities may subject them to a routine check and other measures provided by law, such as traffic tickets.

The Ministry wishes to remind you that Article 41 of the Vienna Convention on Diplomatic Relations stipulates that “without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving state.”

2. Parking in Warsaw

Pursuant to Resolution no. XXXVI/1077/2008 of Warsaw City Council of 26 June 2008 on the establishment of paid parking zone, parking fees on public roads in the zone, additional fees, and the collection of these fees (available at: <http://www.zdm.waw.pl/>), the diplomatic missions and representations of international organizations which have received a positive opinion of the MFA Diplomatic Protocol may be assigned free parking spaces directly in front of their offices, or – if this proves impossible – in close vicinity of their premises.

When deciding how many parking spaces will be allocated to a mission, special attention is paid to the principle of reciprocity, and the receiving state's obligation to ensure missions' security. Only vehicles with diplomatic registration plates may occupy parking spaces designated for the CD; vehicles without such plates are not authorised to use these spaces.

Should a mission need more parking spaces than its free-of-charge quota, it may request that paid parking spaces be reserved exclusively for the mission's purposes, using traffic signs.

Regardless of their status and type of registration plates, all users of parking spaces in Warsaw's unguarded paid parking zone (excluding designated parking spaces in front of missions) must pay for using such spaces (in parking metres). Drivers who fail to comply will be charged an additional fee.

Vehicles of diplomatic mission and consular post members that have been left unattended in no-parking areas could be towed away by the Warsaw Municipal Police if:

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- a) the vehicle has been parked in an area where stopping is prohibited, and the "No stopping" sign has an additional "T-24" plate mounted below it, signifying that the vehicle will be removed at the owner's expense, or
- b) the vehicle has been parked in an area where stopping is prohibited (without "T-24" plate), and its presence may obstruct traffic or pose a danger to other road users.

A person whose vehicle is towed away due to illegal parking will be charged administrative costs of such a service; the decision to impose this fee is not subject to appeal.

XVIII. Airport

1. VIP Lounge

The Ministry of Foreign Affairs of the Republic of Poland covers the costs of Warsaw Chopin Airport's VIP/IP Lounge when used by official delegations arriving in Poland at the invitation of the Minister of Foreign Affairs, and by Embassy staff welcoming them, in accordance with the following rules:

- official visits by Ministers of Foreign Affairs of foreign countries:
Polish MFA covers VIP Lounge cost: 1 + 5 (head of delegation and accompanying persons) + 2 (greeting / seeing off persons),
- working visits by Ministers of Foreign Affairs of foreign countries:
Polish MFA covers VIP Lounge cost: 1 + 3 (head of delegation and accompanying persons) + 2 (greeting / seeing off persons),
- visits by Secretaries of State for Foreign Affairs of foreign countries:
Polish MFA covers VIP Lounge cost: 1 + 2 (head of delegation and accompanying persons) + 2 (greeting / seeing off persons),
- Visits by Undersecretaries of State for Foreign Affairs of foreign countries:
Polish MFA covers VIP Lounge cost: 1 + 1 (head of delegation and accompanying person) + 2 (greeting / seeing off persons).

The invited side and the relevant entity on the Polish side should make prior arrangements about VIP Lounge charges arising from official delegations arriving at the invitation of the Polish President, Prime Minister, and other Ministers. This means that the Embassy should each time consult the inviting side about delegation members using the VIP Lounge, the list of persons greeting the guests, and the coverage of VIP Lounge costs.

The applications should be submit to the Diplomatic Protocol when booking the VIP Lounge. Please file your request at least three days in advance, and make sure it indicates: details of the passengers and persons greeting or seeing them off; their ID card numbers; car plate numbers and make of vehicle(s) that will bring/collect the

passengers; full name and telephone number of the contact person; and VAT invoice data.

2. Diplomatic clearance of state rank international flights

Diplomatic clearance for state-rank international flights is granted only to aircrafts carrying officials with VIP status, that is Heads of State, Heads of Government, Speakers of Parliament or its individual Chambers, heads of official delegations and, in the case of military flights, military personnel. The diplomatic mission concerned should send an appropriate note, along with a completed **Diplomatic Clearance Request form** to the Protocolar Section of the Diplomatic Protocol of the Ministry of Foreign Affairs (fax (0-22) 628-38-28). In other cases, the Diplomatic Protocol kindly requests that the carrier transfer flight details directly to the Polish Air Navigation Services Agency (tel. 574 56 66, fax. 574 56 69).

Please make sure to fill in your Diplomatic Clearance Request form correctly, as only such forms will be accepted and forwarded to the Civil Aviation Authority (CAA). It is CAA that takes the final decision on whether to grant permission for special flights of foreign aircraft. Through the MFA Diplomatic Protocol, CAA sends a copy of the permit to the Embassy concerned.

State-rank international flights of military aircraft are cleared by the Section for Airspace Use Coordination at the Operational Command of the Polish Armed Forces (tel.: 22 261 855 892 or 261 855 893, fax: 261 855 896 or 261 855 897, e-mail: okwpp@ron.mil.pl, mob. 727 009 186, 727 009 190). The Embassy should each time fill in a **Clearance Standard Form** and forward it directly to the Section for Airspace Use Coordination.

Please bear in mind that diplomatic clearance only serves to give priority in air traffic, and does not exempt you from any fees.

3. Access to the restricted zone of Frederick Chopin International Airport

When entering and staying within the restricted zones of Warsaw Chopin Airport, staff members of diplomatic missions and representations of international organizations should respect rules which are designed to enhance security of international aviation, and reflect widely accepted standards of international airports.

Access to the restricted zones of Warsaw Chopin Airport is possible with:

- temporary personal pass ([application form](#)),
- single-visit personal pass ([application form](#)).

Under these rules, to access the restricted zones of Warsaw Chopin Airport you need to have a personal temporary pass issued at the mission's request, after receiving a positive opinion, and through the Diplomatic Protocol, according to the following algorithm:

- A. missions with up to 4 diplomats are entitled to 2 temporary personal passes,
- B. missions with 5 to 10 diplomats are entitled to 3 temporary personal passes,
- C. missions with 11 to 20 diplomats are entitled to 4 temporary personal passes,
- D. missions with 21 to 30 diplomats are entitled to 5 temporary personal passes,
- E. missions with more than 30 diplomats are entitled to 6 temporary personal passes².

Once filled in, signed by the mission head, and stamped with the mission seal, applications for a temporary personal pass or for renewing the existing pass should be submitted to the Diplomatic Protocol along with a note. When filling in the application, please skip section 3, and write "NOT APPLICABLE" in sections 5 (visas) and 6 (work permit). Write "H" (for baggage reclaim area) and "T" (for transit) when asked to specify sectors to be accessed with the pass.

The note should also include:

- copy of passport,
- copy of MFA's ID,
- filled-in "[Employment and education declaration](#)",
- original documents or their certified photocopies confirming the information contained in the declaration,

- "[Application for information about the lack of grounds preventing access to the restricted zone of the Airport](#)."

When applying for a temporary or single-visit personal pass, please make sure to fill in all the blanks in the form correctly and accurately. This applies in particular to:

- personal data of the applicant,
- reasons for which the pass should be granted,

² Please note: Temporary personal passes which are not used by owners become expired and should be returned to the Warsaw Chopin Airport Security Bureau via Diplomatic Protocol. Missions are kindly requested to limit their application for temporary passes to a number of passes that ensures their proper functioning.

- (for single-visit personal passes) personal data of the temporary personal pass holder who will be accompanying the applicant during his/her stay in the restricted zone; if the applicant will not be accompanied by a temporary personal pass holder, the mission should apply for paid escort by an airport security staff member,
- sectors: you can apply for entry into zone H (baggage reclaim) and zone T (transit).
- signature of the person concerned (future pass holder),
- head of mission's stamp and signature.

Please note that the airport management will not consider incorrect applications.

The temporary personal pass is issued upon completing a compulsory civil aviation security training course, which is valid for two years. The training course will take place after filing the application form, and receiving confirmation from the Warsaw Chopin Airport Security Bureau that the request to issue the pass has been granted (tel. 22 650 26-05, 650-26-04). The course takes four hours and consists of a three-hour theoretical module and a one-hour practical module followed by a test. Training courses are conducted in Polish, English and Russian. In the case of other languages, the applying mission may arrange for an interpreter to be present. Training courses are held in continuous cycles from Monday to Friday. To set a date, please contact the Airport Service Training Centre (tel. 22 650 25 19). The first training course is to be a stationary course, the following training courses may be stationary or e-learning. For information about prices, please visit www.polish-airports.com. Current prices are: stationary – PLN 100, e-learning – PLN 50.

After the Pass Office has informed you that your pass request has been granted, you need to arrive at the Office in person to have your photo taken and collect the pass. The decision to grant a pass is valid for 30 days. After that time, you have to start the procedure anew. The application for the pass will be considered according to the price list. Temporary personal passes can be collected at the Pass Office, Airport Security Service guardroom at 1, Żwirki i Wigury Street, entrance near the scenic terrace and SKM railway station, Mondays to Fridays from 8:00 a.m. to 04:00 p.m.

Single-visit personal passes are issued at the mission's request via Diplomatic Protocol. Applications should be sent with a relevant note through official channels or

by fax ((22) 523 96 17), at least three working days prior to the planned receipt of the pass.

Single-entry personal passes are issued free of charge. However, in order to use the pass a mission member must be accompanied by an Embassy employee who has been issued with a valid temporary pass, or by an Airport Security Service officer. In the latter case, the mission will be charged as per the Polish Airports State Enterprise's price list available on the website at www.polish-airports.com. The service fee should be paid as specified in the invoice, so make sure to include the payer's details and the address to which the invoice should be sent at the bottom of your application. According to the Polish Airports State Enterprise, access to restricted zones of the Airport will not be granted if assigning accompanying staff proves impossible. Single-entry passes can be collected at the Pass Office (24 h) at Terminal A, arrivals level, entrance near the scenic terrace and SKM railway station.

If you lose your pass, you should inform the Pass Office of the Airport without delay by calling the following numbers: 22 650 26 11 (24 h) or 22 650 24 62 or 22 650 26 04 or 22 650 34 57, or by writing at: PrzepustkiCzasowe@polish-airports.com. You should also inform the Diplomatic Protocol of this fact.

To obtain a duplicate of a temporary personal pass, the mission should apply to the Pass Office with a relevant application form.

Issuing of a duplicate after the pass was lost or following changes to the original pass is liable to a fee covering the cost of issuing a new document.

4. Rules applying in limited access areas of Warsaw Chopin Airport

When exercising their official duties, members of diplomatic missions accredited to Poland may move around the limited access areas and the restricted zones of Warsaw Chopin Airport on the basis of a personal temporary pass or single-visit personal pass.

1) Eligible persons – holders of personal temporary passes issued by Warsaw Chopin Airport may move around passenger terminals of the airport aware of the following:

- a) To enter and to leave the arrival and registered baggage reclaim areas:
 - the arrival and registered baggage reclaim areas can be entered through a service entrance, to leave the arrival and registered baggage reclaim

areas use the green or red customs clearance path for arriving passengers.

b) To enter and to leave the transit departure area:

- to enter the transit departure area use the service entrance in Terminal A, zone A or E;
- to proceed from the Schengen to the Non-Schengen area at the departures level, use passport control booths. To move between those two areas you must present your personal pass and state the purpose of your visit to a Border Guard officer;
- to leave the transit departure area use the green or red customs clearance path for arriving passengers, starting in the baggage reclaim area.

2) You cannot enter passenger boarding bridges. In case of diplomatic mail – it can be collected at the level of airport apron. In such case the mission should apply for the permit to the Director of Warsaw Chopin Airport Security Bureau via Diplomatic Protocol. The request should provide such information as: mission data, time of arrival/departure, flight number, mission's phone number, invoice data, also the make and the registration number plates of the car. Collecting/handing over diplomatic mail is possible only under the security protection, which is liable to a fee according to the price list. Current price for providing this service is PLN 280 per hour, for every 30 minutes started.

3) As far as official delegations are concerned, only VIP Lounge guests can be welcomed/seen off at the airport apron. For more information about handling VIP Lounge guests please call 22 650 44 40, 22 650 45 65 or write at vip@polish-airports.com.

4) Warsaw Chopin Airport offers Fast Track commercial service. The service allows travellers to quickly and smoothly pass through security control. Passengers wishing to take advantage of the Fast Track service go through security check at a special zone of the terminal. The service is free of charge for holders of diplomatic passports.

Detailed information about passes and different kind of permits are available on the website: www.lotnisko-chopina.pl/pl/przepustki-i-zezwozenia-cennik-obowiazujacy-od-15-02-2016.html

5. Handing over/collection of diplomatic and administrative mail

Diplomatic and administrative mail carried by commercial aircraft crews is handed over/collected in the arrival or departure area of Terminal A:

- diplomatic mail carried by Schengen area aircraft is handed over at the appropriate gate; to leave the departure area use the green or red customs clearance path for arriving passengers;
- diplomatic mail carried by Non-Schengen area aircraft is handed over at the Border Guard passport control desk, level 100 (Non-Schengen bus exit leading to the baggage reclaim area).

At Terminal A, administrative mail can be collected directly from baggage conveyor belts. In this case, you collect mail at the arrival level in the registered baggage reclaim area. Members of diplomatic missions holding a personal temporary pass proceed to the baggage reclaim area. To leave with administrative mail, use the green or red customs clearance path for arriving passengers.

Arriving and departing diplomatic and administrative mail carried by regular aircraft crews is handed over, respectively, at the arrival or departure clearance booth in the General Aviation Terminal.

The applications for temporary or single-visit passes as well as the applications for the permits to enter the airfield tarmac sent by missions directly to Chopin Airport Security Bureau will not be processed.

Arriving and departing administrative mail carried as cargo is collected in the Cargo Terminal building.

6. Parking at the Airport

The rules governing the use of access roads and parking at Warsaw Chopin Airport are set out by the airport administrator.

Arrivals – A line (next to the terminal) is now available only for Crew Buses and taxi corporations. B line (the second line) is first of all available for emergency vehicles, border and airport service vehicles.

In special circumstances, it is also possible to use B line at a fee. Permits to enter and stay in this zone for several minutes are granted based on the mission's request - at least three working days prior – sent to the Warsaw Chopin Airport Security Bureau including following data: the purpose of the entry and stay in the area, the date, vehicle's data (make of vehicle), registration number plates, contact person in the mission and invoice data.

Warsaw Chopin Airport Security Bureau will inform the mission of issuing the permit, will specify the place and time of temporary use B line. Currently, the price for obtaining a B line permit is PLN 150 PLN before tax.

Moreover, the vehicles with diplomatic plates can use parking P2 at the level of the arrivals. The terms and conditions of use P2 parking area are as follows: for every 1 hour started – PLN 10.

Departures – the entrances to the A line and B line are restricted by barriers. Using parking Kiss&Fly on the both lines is free for 7 minutes maximum. Exceeding parking time costs PLN 30 – up to 15 minutes. Each next minute of stay costs PLN 1. There is a limit of 5 free entries per day.

All information about Warsaw Chopin Airport services are available on website: www.lotnisko-chopina.pl.

Please note: Vehicles left unattended in no-stopping and no-parking areas will be towed away to guarded car parks at the owner's expense, regardless of their registration plates.

XIX. Recommendations

1. It is recommended that members of diplomatic missions and consular posts, as well as their family members carry their identity cards issued by the Ministry of Foreign Affairs at all times. These cards determine their holders' status in Poland and should be presented to law enforcement authorities to make the holder receives appropriate treatment.

2. Please note that in order to confirm your status vis-à-vis Polish authorities it is not enough to present your diplomatic or service passport, as such passports only confirm your identity in the sending country or serve as travel document outside its borders.

3. When driving, staff members of diplomatic missions should comply with Polish road traffic rules. In particular, please make sure to observe parking rules in paid parking zones, and to respect speed limits.

The Diplomatic Protocol will be happy to render any assistance to all members of diplomatic missions and consular posts in Poland. We want to make sure that you fulfil your duties in the best possible conditions which will help you meet the goals of international cooperation. At the same time, the Diplomatic Protocol calls the attention of the mission members accredited in Poland to Article 41 of the Vienna Convention on Diplomatic Relations, which reads: "without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State".