**List of documents to be attached to the application for REGISTRATION OF RESIDENCE (stay) (for UK national who is the beneficiary of the Withdrawal Agreement):**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| 1. | Application form for registration of residence completed in Polish and signed personally by the applicant \* |  |
| 2. | Four biometric photos taken not earlier than 6 months before the date of application \*\* |  |
| 3. | 1 copy of all filled in pages of a valid travel document or other valid document confirming identity and citizenship (the original is presented when submitting the application) |  |
| 4. | The following documents confirming that the applicant is a beneficiary of the Withdrawal Agreement and confirming the fulfillment of the conditions of the right of residence exceeding 3 months on the date of registration of the stay applied for:(documents drawn up in a foreign language are submitted together with their translation into Polish, prepared by a sworn translator; original documents or copies certified as being true copies by a notary or by a representative of the party who is a an attorney or legal advisor or by an authorized employee of the authority conducting the proceedings (voivode) to whom the original document was presented with a copy) |  |
|  | a) | a written declaration of the applicant (personally signed):- on the continuation of stay in the territory of Poland after December 31, 2020, i.e. about periods of stay and absences exceeding 6 months a year until the date of submission of the application |  |
|  | b) | any document / other proof of residence in Poland on December 31, 2020. or earlier in the event of an acceptable absence on December 31, 2020. (e.g. confirmation of registration at the address, employment contract, flat rental agreement, electricity bill, internet or telephone service contract, evidence of recent entry to Poland, etc.) |  |
|  | c) | when applicable documents confirming that absence exceeding 6 months a year, up to 12 consecutive months, was caused by an important personal situation, in particular pregnancy, childbirth, illness, studies, vocational training, secondment (applies to absence on 31 December 2020 or after the end of the transition period, before submitting the application) |  |
|  | d) | for stays up to 3 months before December 31, 2020 proof of the date of the last entry into Poland (applies also to persons previously staying in Poland) |  |
|  | e) | if point (d) does not apply, i.e. in the case of a stay for a period exceeding 3 months before December 31, 2020. proof of compliance with the conditions of the right to stay for a period exceeding 3 months on December 31, 2020 (or earlier in the event of admissible absence on December 31, 2020) - see the List of documents that may confirm compliance with the conditions of the right to stay in Poland for a period exceeding 3 months \*\*\*It is also possible to provide evidence of retention of the right of residence or possession of this right in special cases provided by law \*\*\*\* |  |
|  | f)  | proof of compliance with the conditions of the right to stay for a period exceeding 3 months on the date of registration of the stay applied for - see the List of documents that may confirm compliance with the conditions of the right to stay in Poland for a period exceeding 3 months \*\*\*It is also possible to provide evidence of retention of the right of residence or possession of this right in special cases provided by law \*\*\*\* |  |
|  | Family members of United Kingdom citizens who are beneficiaries of the Withdrawal Agreement in Poland, who resided outside Poland before the end of the transition period: |  |
|  | a) | a written declaration of the applicant (signed by hand) on residence outside the territory of Poland before December 31, 2020. |  |
|  | b) | proof of being before December 31, 2020 a family member of a United Kingdom citizen who is a beneficiary of the Withdrawal Agreement in Poland |  |
|  | c) | proof of compliance with the conditions of the right to stay for a period exceeding 3 months on the date of registration of the stay applied for - see the List of documents that may confirm compliance with the conditions of the right to stay in Poland for a period exceeding 3 months \*\*\* |  |
|  | Children of UK citizens who are beneficiaries of the Withdrawal Agreement in Poland, born or adopted after the end of the transition period: |  |
|  | a) | evidence that one of the following conditions is met:- both parents are citizens of the United Kingdom who are beneficiaries of the Withdrawal Agreement in Poland;- one of the parents is a citizen of the United Kingdom who is a beneficiary of the Withdrawal Agreement in Poland, and the other is a citizen of the Republic of Poland; or- one of the parents is a citizen of the United Kingdom who is a beneficiary of the Withdrawal Agreement in Poland and has sole or joint rights of custody of the child (in the case of children who will reach the age of majority, this condition will apply to the period before reaching the age of majority)  |  |
|  | b) | proof of compliance with the conditions of the right to stay for a period exceeding 3 months on the date of registration of the stay applied for - see the List of documents that may confirm compliance with the conditions of the right to stay in the territory of Poland for a period exceeding 3 months \*\*\* |  |
| 5.  | In the case of **frontier workers**, the following documents confirming that the applicant is a frontier worker referred to in the Withdrawal Agreement should be submitted instead of the documents listed in point 4:(documents drawn up in a foreign language are submitted together with their translation into Polish, prepared by a sworn translator; original documents or copies certified as being true copies by a notary or by a representative of the party who is a an attorney or legal advisor or by an authorized employee of the authority conducting the proceedings (voivode) to whom the original document was presented with a copy) |  |
|  | a) | document confirming the performance of work or other gainful activity on the person`s own behalf and own account in the territory of the Republic of Poland immediately before December 31, 2020 without residing in this territory |  |
|  | b) | document confirming the continuation of work or other gainful activity on the person`s own behalf and own account in the territory of the Republic of Poland after December 31, 2020 without residing in this territory  |  |
|  | c) | when applicable a document confirming retention of the status of worker or a person conducting other gainful activity on the person`s own behalf and own account in the territory of the Republic of Poland \*\*\*\* |  |
|  | d)  | document confirming residence outside Poland while performing work or conducting other gainful activity on the person`s own behalf and own account in the territory of the Republic of Poland before December 31, 2020. and after that date  |  |

\* **Application** for a UK citizen who is:

1) **a minor** – is submitted (i.e. signed) by parents or guardians appointed by the court or other authority or by one of the parents or one of the guardians appointed by the court or other authority;

2) a totally incapacitated person – is submitted (i.e. signed) by a guardian appointed by the court or other authority;

3) an unaccompanied minor –is submitted (i.e. signed) by a guardian.

Note: The field for the signature specimen in the application form should not be completed by a person who is under the age of 13 by the date of submitting the application or who, due to his / her disability, cannot provide with his/her own signature.

The application **is submitted in person** (i.e. it is required to appear in person when submitting the application or at the request of the authority) to the voivode competent for the place of residence of the UK citizen.

The requirement to appear in person at the time of submission of the application does not apply to a minor UK national who is under the age of 6 by the date of application.

In particularly justified cases, including due to the health condition of a United Kingdom national, the requirement to appear in person may be waived.

In the latter case, the application should be accompanied by a written explanation justifying the need to waive the requirement to appear in person when submitting the application, together with evidence confirming the occurrence of a particularly justified case.

\*\* The **photographs** attached to the application meet the following requirements:

1) they are undamaged, in color and of good sharpness;

2) have the size of 35 mm x 45 mm;

3) were made not earlier than 6 months before the date of submitting the application;

4) show the face of a United Kingdom citizen or family member of a United Kingdom citizen from the top of the head to the top of the shoulders, so that the face covers 70-80% of the photograph;

5) show clearly the eyes of a United Kingdom citizen or family member of a United Kingdom citizen, and in particular the eye pupils, the eye line of a United Kingdom citizen or family member of a United Kingdom citizen should be parallel to the top edge of the photograph;

6) show a United Kingdom citizen or family member of a United Kingdom citizen against a plain light background, in a frontal position, looking straight ahead with eyes open, hair uncovered, with a natural facial expression and mouth closed, and the natural color of his/her skin.

If the application concerns a person with congenital or acquired vision defects, the photograph attached to the application may show that person wearing dark glasses. In the case of a person wearing a headgear in accordance with the rules of his/her religion, the photograph may show the person wearing the headgear. The headgear must not cover or distort the oval of the face.

\*\*\* **List of documents that may confirm compliance with the conditions of the right to stay in the territory of Poland for a period exceeding 3 months**:

Workers or self-employed persons:

- an employment contract, a certificate of performance of work, a written declaration of the employer or an entity authorized to entrust a United Kingdom citizen with the performance of work on the intention to entrust him/her with the performance of work (for the planned performance of work), a written declaration on entry into the National Court Register or entry into the Central Register and Information on Economic Activity or any other proof that a citizen of the United Kingdom is a self-employed person in the territory of the Republic of Poland,

Economically inactive persons:

- proof of having sufficient financial resources to support oneself and family members, so as not to constitute a burden for social assistance (financial resources in the amount exceeding the thresholds of social assistance, i.e. exceeding PLN 701 net per month, and for a person in the family - in the amount exceeding PLN 528 net per month are considered as sufficient resources).

- a health insurance document confirming:

• covering with public health insurance in Poland (e.g. confirmation from the National Health Fund, or from the Social Insurance Institution), or

• the right to use healthcare services under the provisions on the coordination of social security systems (eg EHIC), or

• having private health insurance covering all expenses that may arise during the stay in the territory of the Republic of Poland in connection with the need for medical assistance or hospital treatment, in which the insurer undertakes to cover the costs of healthcare services provided to the insured directly to the entity providing such benefits, on the basis of the invoice issued by this entity (insurance policy)

Students or persons undergoing vocational training:

- certificate of the entity conducting the studies on admission to studies or continuation of studies, or certificate of the entity conducting vocational training on admission to such training,

- a written declaration of having sufficient financial resources to support oneself and family members so as not to constitute a burden for social assistance, or a proof of their possession;

- a health insurance document confirming:

• covering with public health insurance in Poland (e.g. confirmation from the National Health Fund, or from the Social Insurance Institution), or

• the right to use healthcare services under the provisions on the coordination of social security systems (eg EHIC), or

• having private health insurance covering all expenses that may arise during the stay in the territory of the Republic of Poland in connection with the need for medical assistance or hospital treatment, in which the insurer undertakes to cover the costs of healthcare services provided to the insured directly to the entity providing such benefits, on the basis of the invoice issued by this entity (insurance policy)

Spouses of Polish citizens:

- a document confirming conclusion of a marriage with a citizen of the Republic of Poland;

Family members of United Kingdom nationals who have United Kingdom citizenship:

- a certificate of registration of stay of a United Kingdom citizen, or a document confirming the right of permanent residence, issued to a United Kingdom citizen with whom the family member resides in the territory of the Republic of Poland, and also:

a) spouse - a document confirming the conclusion of a marriage,

b) direct descendants - a document confirming the existence of family ties and a document confirming age or being dependent on a citizen of the United Kingdom or his / her spouse,

c) direct ascendants - a document confirming the existence of family ties and a document confirming being dependent on a citizen of the United Kingdom or his / her spouse.

d) direct ascendants of a minor UK citizen - a document confirming actual custody of a minor UK citizen and a document confirming that a minor UK citizen is dependent on him/her.

The rights of the family members who are dependants of United Kingdom nationals before the end of the transition period, shall be maintained even after they cease to be dependants.

Evidence of having sufficient financial resources to support oneself and family members, so as not to constitute a burden for social assistance, may include in particular:

1) a certificate of the limit on the credit card issued by the bank that issued the credit card;

2) a certificate confirming possession of funds in a bank or a cooperative savings and credit union established in the territory of the Republic of Poland;

3) a document confirming granting of a national or foreign scholarship;

4) certificate of employment and the amount of earnings.

The certificates referred to in points 1, 2 and 4 should be issued not earlier than one month before the date of submitting the application.

\*\*\*\*

Provisions of the Act of 14 July 2006 on the entry into the territory of the Republic of Poland, residence and departure from this territory of citizens of the European Union Member States and their family members (Journal of Laws of 2019, item 293, as amended) regarding the retention of the right of residence or the right of residence in special situations, which also apply to citizens of the United Kingdom:

a) Right of residence after cessation of work or other gainful activity:

An EU citizen who has ceased to be an employee or a self-employed person retains the right of residence of the employee or self-employed person in the following cases (Article 17):

1) failure to perform work or other gainful activity on the person`s own behalf and own account as a result of temporary inability to work due to illness or accident or in connection with pregnancy and childbirth, or

2) unintentional unemployment as registered in the register of the unemployed kept by the poviat labor office;

3) undertaking vocational education or training.

If the period of work or other gainful activity in the territory of the Republic of Poland, preceding the unemployment referred to in point 2, was shorter than one year, the right of residence of the employee or self-employed person is retained by the EU citizen for the period of 6 months from the date of registration with the competent poviat labor office.

b) Retention of the right of residence by a family member of an EU citizen:

A family member who is an EU citizen retains the right of residence in the event of divorce, annulment of marriage, death or departure from the territory of the Republic of Poland of an EU citizen meeting the conditions of stay for more than 3 months (Article 19 (1))

c) The right of residence of a learning child of an EU citizen and his/her parent (Article 19a):

A child of an EU citizen who was an employee on the territory of the Republic of Poland, but did not retain the right of residence under Art. 17, who is staying and learning or studying in this territory, has the right to stay until the end of education or studies.

A parent caring for a child of an EU citizen who was an employee on the territory of the Republic of Poland, but did not retain the right of residence under Art. 17, who is staying and learning or studying in this territory, has the right to stay until the child reaches the age of majority; this right also applies after the child reaches the age of majority, if he/she still requires the presence and care of that parent in order to continue and complete education.