

# PRO HR

## IMMIGRATION UPDATE

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SEPTEMBER 2025

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## THE RIGHT OF UKRAINIAN CITIZENS TO RESIDE IN POLAND MAY BE EXTENDED

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A new draft amendment to the Ukrainian Special Act (formally titled *the Act Amending Certain Acts in Order to Verify the Right to Family Benefits for Foreigners and on Conditions of Assistance to Citizens of Ukraine in Connection with the Armed Conflict in that State*) has been passed by the Sejm and sent to the Senate. The legislative process is ongoing.

The draft provides for extending the UKR status until 4 March 2026. The stay of Ukrainian citizens in Poland will also be extended until 4 March 2026 on the basis of, among other things:

- visa-free movement,
- visas,
- temporary residence permits and residence cards.

The previous draft was vetoed by the president due to concerns about granting social benefits to foreigners in Poland.

The current draft tightens the rules on granting certain benefits. They will be available only to those foreigners, including Ukrainian citizens, who are professionally active in Poland.

The provisions extending the right of residence of Ukrainian citizens are planned to enter into force before 30 September 2025. It remains uncertain whether the president will approve the amended act; nevertheless, the new version addresses the earlier concerns regarding the payment of social benefits.

Regardless of the ongoing legislative process and the president's decision, to ensure continued legal residence, Ukrainian citizens without valid residence documents are encouraged to submit a residence application without delay.

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## FOREIGNERS WILL SOON BE REQUIRED TO APPEAR IN PERSON WHEN REGISTERING OR APPLYING FOR A PESEL NUMBER

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If the provisions of the Act Amending Certain Acts in Order to Verify the Right to Family Benefits for Foreigners and on Conditions of Assistance to Citizens of Ukraine in Connection with the Armed Conflict in that State are adopted, then as of 1 January 2026, foreigners who are not:

- citizens of the EU, EFTA, or Switzerland, or members of their families,
- citizens of the United Kingdom covered by the provisions of the "Brexit Agreement," or members of their families,
- children of foreigners born on in Poland

will be required to appear in person when applying for a PESEL number.

Likewise, foreigners applying to register a temporary or permanent residence will also be required to appear in person, unless they are:

- citizens of the EU, EFTA, or Switzerland, or members of their families,
- citizens of the United Kingdom covered by the provisions of the "Brexit Agreement," or members of their families,
- family members of a Polish citizen,
- holders of a PESEL number.

Currently, foreigners are not required to appear in person when applying for a PESEL number or for registration of residence. These matters can be handled through a proxy. The exception applies to Ukrainian citizens applying for PESEL UKR status.

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## BORDER WITH BELARUS CLOSED

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As of 12 September 2025, Poland's border with Belarus remains closed. The suspension applies to everyone, regardless of whether they have the right to reside in Poland, as well as to the transport of goods.

According to the justification for the introduced regulations, the suspension of border traffic is to remain in force until the completion of the Russian-Belarusian military exercises "Zapad 2025".

However, there is no precise information on when border traffic will be restored.

Anyone planning to enter Poland from Belarus on the basis of residence documents, such as visas or residence permits, will not be able to do so. This does not mean, however, that entry into Poland is entirely blocked. Entry remains possible through Poland's other borders. The Belarusian border will remain closed until further notice.

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## NEW REGULATIONS ON THE DOCUMENTS REQUIRED WHEN APPLYING FOR A WORK PERMIT OR A DECLARATION ON ENTRUSTMENT OF WORK TO A FOREIGNER

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A draft regulation concerning the required documents has been published. The list of documents has not changed significantly, but employers will be obliged to submit additional statements.

For example, when applying for a work permit on behalf of a Polish entity employing a foreigner, the following documents will need to be submitted:

- a copy of all completed pages of the foreigner's valid travel document to which the application relates; if the foreigner does not have a valid travel document and is unable to obtain one – a copy of another valid document confirming their identity,
- a document prepared by the user employer confirming arrangements regarding the assignment of a foreigner by a temporary employment agency – where the employer is such an agency,
- documents confirming that qualification requirements and other conditions are met in the case of intending to employ a foreigner in a regulated profession,
- proof of payment.

The documents will have to be submitted in electronic form. If the documents are prepared in paper form, scans must be provided. At the request of the authority, originals of the documents whose copies have been attached to the application must be presented.

In certain cases, the applicant will also be required to submit relevant statements about their situation, for example:

- that the remuneration specified in the application or in the declaration is not lower than that of employees performing work of a comparable type or in a comparable position,
- that they have the financial resources or sources of income necessary to cover the obligations resulting from employing the foreigner.

The applicant will also be required to declare whether, to the best of their knowledge, the foreigner concerned by the application or declaration has been legally convicted of an offence specified in Articles 270–273 or Article 275 of the Polish Criminal Code.



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