

PRO HR

IMMIGRATION UPDATE

MARCH 2026



RESIDENCE APPLICATIONS VIA MOS 2.0 COMING SOON

According to an announcement from the Office for Foreigners, work on the MOS (Case Handling Module) ICT system is nearing completion. Once implemented, the digitalisation of immigration procedures will become a reality.

For the system to be launched, the minister responsible for internal affairs must issue an official notice specifying the date on which the technical solutions enabling the electronic submission of residence applications will come into force.

The notice will be published at least 14 days prior to the implementation date of the MOS system. We expect the system to become operational in May 2026.

Once MOS 2.0 is introduced, applications may only be submitted via that system and only in electronic form. Residence applications submitted in any other way will not be processed.

This rule will be particularly important for individuals planning to submit residence applications shortly before the implementation of MOS 2.0.

Proceedings that are not initiated before the implementation of MOS 2.0 will not be processed. Therefore, foreign nationals whose right to reside in Poland expires in the coming months should ensure that their applications are submitted in good time. Under the applicable regulations, proceedings are deemed to be initiated on the date when the request is delivered to the public administration authority.

We recommend that foreign nationals whose right of residence expires in the second half of April 2026 submit their applications as soon as possible using the currently available methods.

It should also be noted that, following the implementation of MOS 2.0, one of the formal requirements for submitting a residence application will be the employer completing Annex No 1 and signing it with a trusted profile or a qualified electronic signature. Employers should therefore be prepared to sign documents electronically.

EMPLOYERS SHOULD VERIFY THE STATUS OF STUDENT EMPLOYEES WHO ARE EXEMPT FROM THE WORK PERMIT REQUIREMENT

As of 1 December 2025, a regulation of the Minister of Family, Labour and Social Policy has been in force, specifying particular cases in which a foreign national legally residing in Poland may work without a work permit or a declaration on entrusting work.

One such case concerns the employment of a foreign national who is a full-time student in Poland. In order to benefit from this exemption, the university at which the employee is studying meets the requirements set out in the regulations.

A foreign national – a full-time student – may work without a work permit or declaration if they study at an institution:

- approved by the Ministry of the Interior and Administration for the purpose of admitting foreign nationals to undertake or continue studies, or
- exempt from the approval requirement, provided that no decision prohibiting the admission of foreign nationals has been issued in respect of that institution.

The regulations provide for a list of institutions exempt from the approval requirement.

These include public academic universities such as the University of Warsaw and the Jagiellonian University.

At the same time, transitional provisions stipulate that, until 30 June 2026, non-public academic institutions are treated as exempt from this requirement. Their students, therefore, continue to enjoy full access to the labour market and may work without a work permit or declaration.

After 30 June 2026, this possibility will only apply if the given non-public institution is entered on the list of institutions approved by the Ministry of the Interior and Administration.

If an institution is not entered on the list by 30 June 2026, then from 1 July 2026 the employment of a foreign student may require a work permit or a declaration on entrusting work.

Given the time required to obtain the relevant documents from the authorities, we recommend verifying in advance the status of the institution at which the foreign employee is studying, and appropriately planning further steps regarding the legalisation of employment.

DISRUPTIONS IN THE OPERATION OF POLISH CONSULATES IN THE MIDDLE EAST

Due to the ongoing conflict in the Middle East, Polish consulates operating in the region have, until further notice, limited their activities with respect to accepting visa applications.

Currently, it is not possible to submit a visa application or obtain a Polish visa in, among others, Iran, Israel (the consulate issues passports only), Kuwait and the United Arab Emirates.

In Qatar, only selected visa applications are being processed, for example those submitted by family members of Polish or EU citizens.

At present, consulates in Saudi Arabia and Lebanon are operating without restrictions.

For nationals of countries where Polish consulates are not operating, there is no alternative location for submitting a visa application. For individuals residing in such countries on the basis of residence permits, but holding the citizenship of another country, it remains possible to submit an application in their country of origin.

NOTIFICATION ON ENTRUSTING WORK TO A UKRAINIAN CITIZEN IS NOT ALWAYS REQUIRED

According to the Ministry of Family, Labour and Social Policy, in response to a query submitted by Raczkowski, no notification on entrusting work is required where a Ukrainian citizen holds a permanent residence permit in Poland, EU long-term resident status, or an EU Blue Card without a designated employer.

Following the introduction of the Act Phasing Out Certain Measures Resulting from the Act on Assistance to Ukrainian Citizens in Connection with the Armed Conflict in that Country, and Amending Certain Other Acts, doubts have arisen as to when a notification on entrusting work must be submitted.

According to one of the proposed approaches, a notification should always be submitted when a Ukrainian citizen resides legally in Poland.

Under this approach, the fact that the right to work results directly from a document held by the individual would be irrelevant for the notification obligation.

However, the Ministry clarified that this approach is incorrect. Where the right to work derives directly from a residence document held by the Ukrainian citizen, no notification is required. A notification only needs to be submitted where the Ukrainian citizen does not have another basis for work, for example when residing in Poland under a visa-free regime, or when changing employer, if their temporary residence permit authorises them to work for a different employer.

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