

PRO HR

IMMIGRATION UPDATE

AUGUST 2026



GEORGIAN, COLOMBIAN AND VENEZUELAN NATIONALS MAY NOW WORK IN POLAND ONLY IF THEY HAVE A VISA AND A WORK PERMIT

In August, two regulations came into force restricting the right of Georgian, Colombian and Venezuelan nationals to work and stay in Poland:

- the Regulation of the Minister of Foreign Affairs of 10 August 2026 on introducing exceptions to the visa exemption for foreign nationals referred to in Article 6(3) of Regulation (EU) 2018/1806 of the European Parliament and of the Council – which entered into force on 15 August 2026; and
- the Regulation of the Minister of Family, Labour and Social Policy of 31 July 2026 on the list of countries whose nationals holding a work permit are not entitled to work while staying in the Republic of Poland under the visa-free regime – which entered into force on 22 August 2026.

The first regulation restricts the possibility for nationals of the above countries to enter Poland under the visa-free regime where their entry is connected with employment. In such cases, visa-free entry is no longer permitted. A Georgian, Colombian or Venezuelan national intending to work in Poland must now obtain a visa before entering the country.

The regulation does not specify whether this restriction applies only to individuals entering Poland directly, or also to those arriving in Poland via another Schengen country. In our view, these provisions should therefore be applied to all cases of entering Poland, regardless of whether or not Poland is the first Schengen country entered.

The second regulation concerns situations where a foreign national is staying in Poland under the visa-free regime and intends to take up employment on the basis of a work permit. In such circumstances, they are not permitted to commence work. An exception applies to foreign nationals who were already staying in Poland under the visa-free regime before the regulation entered into force and had commenced work on the basis of a work permit obtained before that date.

In summary, Georgian, Colombian and Venezuelan nationals who wish to work in Poland must now hold both a visa (obtained from a Polish diplomatic or consular mission abroad) and a work permit (obtained by their prospective Polish employer). The only exception applies to individuals who were already in Poland under the visa-free regime and commenced work on the basis of a work permit before 22 August 2026.

TEMPORARY PROTECTION FOR UKRAINIAN NATIONALS EXTENDED UNTIL 4 MARCH 2028

The EU Member States have decided to extend temporary protection for Ukrainian nationals once again.

Apart from the extension of the already applicable rules, from 31 July 2026 temporary protection status is only available to individuals whose military status in Ukraine has been duly regularised. Where there are doubts regarding an individual's military status, temporary protection will not be granted.

Importantly, these rules apply only to individuals obtaining temporary protection for the first time.

Individuals whose military status in Ukraine has not been regularised but who already benefit from temporary protection will continue to be covered by the extension.

For now, the extension of the Polish provisions concerning Ukrainian nationals benefiting from temporary protection in Poland is not yet being processed. It is also unclear whether the extension of the right of residence will apply only to Ukrainian nationals benefiting from temporary protection or, as has been the case to date, also to those staying in Poland on the basis of residence permits or under the visa-free regime.

SOME UKRAINIAN NATIONALS WILL LOSE UKR STATUS AFTER 31 AUGUST 2026

The EU Member States have decided to extend temporary protection for Ukrainian nationals once again.

By 31 August 2026, Ukrainian nationals who hold a PESEL number with UKR status granted on the basis of a declaration must confirm their identity before any municipal authority using a valid travel document.

If they fail to comply with this requirement, their UKR status will automatically be changed to NUE status from 1 September 2026. As a result, they will lose the rights

associated with UKR status, including temporary protection.

This does not mean that individuals who lose UKR status will automatically be deemed to be staying illegally. Ukrainian nationals who do not hold UKR status, or who have another legal basis for their stay, may remain legally in Poland until 4 March 2027. Before that date, in order to extend their right of residence, they may, among other options, apply for a temporary residence permit if they are employed, conduct business activity, or are a family member of an employed foreign national or a Polish citizen.





Ius Laboris Poland Global HR Lawyers

Raczkowski

CONTACT US



Michał Kacprzyk

Partner

michal.kacprzyk@raczkowski.eu



Jan Pietruczuk

Lawyer

jan.pietruczuk@raczkowski.eu

**PRO
HR**

IMMIGRATION UPDATE

www.raczkowski.eu | www.iuslaboris.com