Ius Laboris Poland Global HR Lawyers
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PRO HR

IMMIGRATION UPDATE

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FOREIGN NATIONALS ENTERING POLAND WILL BE REQUIRED TO HAVE MORE FINANCIAL RESOURCES

On 14 October 2026, the Ministry of the Interior and Administration published a draft regulation amending the amount of financial resources that foreign nationals entering Poland must demonstrate they possess, as well as the rules governing the documentation of their ability to obtain such funds and confirmation of the purpose and duration of their intended stay.

The draft provides for a significant increase in the required amounts, depending on the length and purpose of the stay. For short stays of up to four days, the minimum amount of funds required upon entry would increase from PLN 300 to PLN 1,000. For stays exceeding four days, the required daily amount would rise from PLN 75 to PLN 300.

Higher financial requirements are also envisaged for foreign nationals coming to Poland to pursue studies, receive education, conduct scientific research or participate in training programmes.

The proposed changes are intended to bring the financial requirements into line with the rising cost of living and maintenance in Poland. The existing amounts, most of which have not been updated since 2016, have lost their real value as a result of increases in the prices of goods and services. In addition, the legislator aims to align the requirements with the reference amounts applied in other Schengen Area countries, thereby ensuring that foreign nationals have sufficient funds to cover the costs of their stay and return to their country of origin.

INTRODUCTION OF THE ETIAS SYSTEM POSTPONED UNTIL 2027

The implementation date of the ETIAS system has been postponed once again. According to the most recent announcements, ETIAS is now expected to be introduced next year, though the exact implementation date has not yet been announced.

The ETIAS system will apply exclusively to foreign nationals travelling to the European Union without a visa.

Before travelling, they will be required to obtain travel authorisation through the system. The authorisation will be valid for three years.

The authorisation fee is EUR 20. Without ETIAS authorisation, a foreign national will not be permitted to cross the EU border. However, obtaining authorisation will not guarantee entry.

Upon arrival at the border, a border guard will ask the traveller to present their passport and other documents and will then verify whether the entry conditions have been met.

The system will be similar to those already in place in, among other countries, the United States (ESTA) and the United Kingdom (ETA).

THE INTRODUCTION OF TACIT APPROVAL IN RESIDENCE PERMIT PROCEEDINGS IS GETTING CLOSER

The draft legislation providing for the introduction of a tacit approval procedure is currently being reviewed by the Standing Committee of the Council of Ministers. If approved, it will be submitted to the Council of Ministers for consideration and subsequently referred to the Sejm [the lower house of the Polish Parliament]. It is therefore highly likely that the amendment will ultimately be adopted and enter into force at the end of 2026 or in early 2027.

As a reminder, under the draft legislation, a tacit approval mechanism is to be introduced for applications for temporary residence permits submitted by citizens of selected highly developed countries. This means that if the authority responsible for examining an application does not issue a negative decision within 60 days, the residence proceedings will be deemed concluded. In practice, however, given the technical aspects of processing residence applications, we expect the overall process - including the issue of the decision and residence card - to take four to six months.

According to the explanatory memorandum accompanying the draft legislation, the following countries currently meet the criteria for inclusion on the list of countries whose citizens will be eligible to benefit from the tacit approval procedure: Australia, Japan, the Republic of Korea, the United States and the United Kingdom.

The maximum period for which a temporary residence permit may be granted under this procedure will be two years.

Importantly, under the current draft amendment, residence proceedings initiated by citizens of eligible countries before the new provisions enter into force will continue to be processed under the existing rules. This means, for example, that if a US citizen submits an application for a temporary residence and work permit now, their case will continue to be processed under the current procedure after the new provisions enter into force, and will not be concluded through tacit approval.

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