

The latest changes in immigration regulations pertaining to Ukrainian citizens

Magdalena Świtajska
Katarzyna Sawicka

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What has changed?

1 Citizen of Ukraine

1.1 Responsibilities relating to mobilisation and military service in Ukraine

Pursuant to Ukraine's Mobilisation Act, all citizens of Ukraine age 18–60 who are subject to compulsory military service must update their military and evidentiary data by 16 July 2024.

Effective from
18 May 2024

If a citizen of Ukraine age 18–60 who is subject to compulsory military service wishes to use a consular service (e.g. obtain a passport or visa), they must submit a military registration document in paper (VOD) or electronic (e-VOD) form, generated no earlier than three days before applying for the consular service.

Source of change

- ☑ Ukrainian Act of 11 April 2024 Amending Certain Legislative Acts of Ukraine on Certain Issues of Military Service, Mobilisation and Military Registration No. 3633-IX (rada.gov.ua)
- ☑ Communiqué of the Ministry of Foreign Affairs of Ukraine (mfa.gov.ua)

The document in paper form will be valid only until an electronic conscription account is activated, enabling self-generation of an electronic military document. Activation of such accounts has been possible since 18 June 2024.

1.2 Minor children of citizens of Ukraine and their spouses without Ukrainian citizenship

Two groups of foreigners who do not hold Ukrainian citizenship will be added to the catalogue of persons covered by Poland's Ukrainian Special Act:

Effective from
1 July 2024

- Minor children of citizens of Ukraine
- Minor children of spouses of citizens of Ukraine.

Source of change

- ☑ Act of 15 May 2024 Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

These minors can now take advantage of the solutions provided by the Ukrainian Special Act (such as legal residence in Poland until 30 September 2025 or the possibility of obtaining a temporary residence permit for family reunification).

Before, both these groups of foreigners were entitled only to general temporary protection under **other legal acts**.

1.3 Extension of legal residence in Poland (UKR status)

Legal residence of citizens of Ukraine (who arrived legally in Poland on or after 24 February 2022 and declare their intention to remain in Poland) will be extended to **30 September 2025**.

Effective from

1 July 2024

Source of change

- ☑ Act of 15 May 2024 Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

1.4 Legal residence on other grounds and validity of documents

Citizens of Ukraine who were in Poland on 25 February 2022 under a visa-free regime or on the basis of a Schengen visa (C), a national visa (D), a residence document issued by another Schengen state or a temporary residence permit (residence card) will benefit from an extension of these grounds for residence until 30 September 2025, if their validity expires before that date.

However, this does not automatically mean the right to cross the border or the right to travel to other Schengen area states. Each such case should be evaluated individually.

Effective from

1 July 2024

Source of change

- ☑ Act of 15 May 2024 Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

1.5 Simplified temporary residence permits

The period during which citizens of Ukraine holding UKR status will be able to apply for temporary residence permits for the purpose of performing work, including in a higher-skilled occupation and for the purpose of conducting business activity, will be extended in a simplified manner (without the need to appear in person at the office, if fingerprints were previously taken when obtaining a Polish ID number) until 30 September 2025.

During this period, these citizens will still be able to obtain permits for one year if they do not meet the prerequisites for their issuance (e.g. the income criterion, or pertaining to the number of employees when applying for a temporary residence permit for the purpose of conducting business activity).

Effective from

1 July 2024

Source of change

- ☑ Act of 15 May 2024 Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

1.6 Temporary residence permits for family members of citizens of Ukraine holding UKR status

A new, previously unavailable solution will be introduced for citizens of Ukraine holding UKR status and who are family members of citizens of Ukraine working or conducting business activity in Poland and holding temporary residence permits on this account. They will also be able to apply for a temporary residence permit for the purpose of family reunification, regardless of the period of their family member's presence in Poland on the basis of a temporary residence permit

Effective from

1 July 2024

Source of change

☑ Act of 15 May 2024
Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

1.7 Temporary residence permit due to seasonal work

Citizens of Ukraine will be able to obtain temporary residence permits for seasonal work, valid for 6 months from the date of the decision.

Before, this possibility was excluded.

Effective from

1 July 2024

Source of change

☑ Act of 15 May 2024
Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

1.8 Transformation of UKR status into a temporary residence permit

Citizens of Ukraine (including minor children) holding UKR status will be able to obtain residence cards, which, upon issuance, will imply granting of a temporary residence permit for the duration of the card's validity (a maximum of 3 years from issuance of the residence card).

A condition for obtaining a residence card under this procedure will be holding UKR status on 4 March 2024 and on the date of filing the application for the card, as well as holding UKR status continuously for 365 days.

Minor children born in Poland will also be able to take advantage of this procedure, if they hold UKR status on the date of filing the application for a residence card and a card under this procedure has already been issued to their mother.

Once the card is issued, the citizen of Ukraine will lose UKR status. At the same time, however, they will be able to undertake work freely (without the need for notification by their employer) and conduct business activity in Poland.

The details of the new procedure are not yet known (the implementing provisions need to be issued).

Effective from

1 July 2024

Source of change

☑ Act of 15 May 2024
Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

2 POLISH ID NUMBER (PESEL) (UKR)

2.1 Deadline for submitting an application for a Polish ID number

The deadline for submitting an application for issuance of a Polish ID number (PESEL) to a citizen of Ukraine (confirming special status in Poland) will be shortened. Such an application will have to be submitted **immediately upon arrival in Poland**.

However, this deadline is only instructive—there will be no negative consequences for failing to submit an application or submitting it late.

Effective from

1 July 2024

Source of change

☑ Act of 15 May 2024
Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

2.2 Confirmation of identity of citizens of Ukraine

There will be a return to the rule of confirming the identity of a citizen of Ukraine when granting a Polish ID number based on a valid travel document (passport).

The obligation to confirm the person's identity at any commune authority on the basis of a **valid travel document** within 60 days from issuance of the travel document will remain, if the Polish ID number was granted without passport verification.

Only in the case of a large influx of citizens of Ukraine to Poland will it be possible to confirm the identity of citizens of Ukraine on the basis of other documents (as previously).

Effective from

1 July 2024

Source of change

☑ Act of 15 May 2024
Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

3 Notification on hiring of a citizen of Ukraine

3.1 Deadline for submission of notification

An entity entrusting a job to a citizen of Ukraine will have 7 days (instead of the current 14 days) to submit a notification to the county executive [starosta] (county labour office) via the praca.gov.pl website.

Effective from
1 July 2024

Source of change

Act of 15 May 2024
Amending the Act on
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Other Acts

3.2 Minimum wage indicated in the notification

An entity entrusting a job to a citizen of Ukraine will have to indicate in the notification at least the minimum wage (or pro rata reduction in the case of lesser working hours) or the minimum hourly rate. As of July 2024, these amounts will be PLN 4,300 gross per month for full-time work or PLN 28.10 gross per hour.

Effective from
1 July 2024

Source of change

Act of 15 May 2024
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3.3 Re-notification (change in terms and conditions of employment)

An obligation will be formally introduced for the employer to submit a re-notification on hiring a citizen of Ukraine **within 7 days** of:

- Change in the type of contract (e.g. from an employment contract to a service contract or vice versa; this will still not apply, for example, to a change from a temporary employment contract to a permanent employment contract)
- Change of position or type of work performed
- Reduction in working hours or number of working hours per week or month
- Reduction in the monthly or hourly wage
- The employer's informing the citizen of Ukraine of granting of a temporary residence permit.

Effective from
1 July 2024

Source of change

Act of 15 May 2024
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To date, in practice, such duties have largely been carried out by employers, but they have not been explicitly regulated in the act.

3.4 Obligation to inform the employer of a temporary residence permit

A new obligation will be imposed on citizens of Ukraine: they will have to inform their employer that they have obtained a decision granting a temporary residence **permit within 7 days** from the delivery of the decision. This will allow their employers to meet their obligation to submit a timely new notification to the county executive [*starosta*] (county labour office).

Effective from

1 July 2024

Source of change

☑ Act of 15 May 2024
Amending the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in Ukraine and Certain Other Acts

Contact

**Magdalena Świtajska**

adwokat, partner

magdalena.switajska@wardynski.com.pl

**Katarzyna Sawicka**

adwokat

katarzyna.sawicka@wardynski.com.pl

Wardyński & Partners

Al. Ujazdowskie 10, 00-478 Warsaw

Tel.: +48 22 437 82 00, +48 22 537 82 00

Faks: +48 22 437 82 01, +48 22 537 82 01

E-mail warsaw@wardynski.com.pl