

HOW TO STAY AND WORK LEGALLY IN POLAND AS A STUDENT?

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Interwencji For Legal
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LEGAL BASIS OF STAY

1. Visa -free movement

- Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement
- 90 days within each 180 days (<https://www.schengenvisainfo.com/visa-calculator/>)

1. **Schengen visa** (up to 90 days)

2. **National visa** (minimum 90 days up to 12 months)

3. **Temporary residence permit**

NATIONAL VISA

Where to apply?

Polish diplomatic post or consular office in your country

What purpose?

Studies at the University (preparatory course, undergraduate and graduate studies, PhD) (both full-time, part-time course and extra-mural education)

How much does it cost?

80 EUR

NATIONAL VISA

Requirements for the University:

Is certified or does not need certification (i.e. public universities) in order to accept foreign students.

=> List of certified universities: <https://www.gov.pl/web/mswia/zlozwniosek-o-zatwierdzenie-jednostki-lub-organizatora-strazu-na-potrzeby-przyjmowania-cudzoziemcow>

What requirements do I need to fulfill?

- medical insurance (amount of insurance: minimum 30 000 PLN)
- sufficient funds to cover costs of stay, return and studies
- proof of payment for studies
- confirmation that you are enrolled at the University
- not banned to enter Poland or other Schengen countries

TEMPORARY RESIDENCE PERMIT

Where to apply?

Voivode (in Warsaw: Voivode of Mazowieckie)

- Register for application at:

<https://kolejka-wsc.mazowieckie.pl/rezerwacje/pol/login>

- Submit the application via post (you will be asked to come to the office later to give your fingerprints) (**Attention!** Date of submitting the application)
- Submit the application at Marszałkowska st. 3/5 or Pl. Bankowy 3/5 (you will be asked to come to the office later to give your fingerprints)

How much does it cost?

340 PLN

Centrum Obsługi Podatnika, ul. Obozowa 57, 01-161 Warszawa

no. of bank account: 21 1030 1508 0000 0005 5000 0070

TEMPORARY RESIDENCE PERMIT

What requirements do I need to fulfill?

- application lodged during your **legal stay** in Poland (with **4** photos, **2** photocopies of your passport, documents mentioned below)
- **medical insurance** (amount of insurance: minimum 30 000 PLN)
- proof of **payment of tuition** (current and/or incoming semester)
- **confirmation of enrollment** issued by the University (the same list of universities as with a visa) (specific form of the confirmation)
- was not expelled (could lead to a negative decision)
- sufficient **funds** to cover costs of stay, return and studies

TEMPORARY RESIDENCE PERMIT

Sufficient funds

If after **deducting** costs of:

1. housing (rent + utilities), and
2. studies (in practice for 3 semesters), and
3. return to your country (200 PLN if from a neighbouring country, 500 PLN if from EU, Switzerland, Norway, Lichtenstein, Iceland, 2500 PLN other),

you still have more than 701 PLN/month (if you live alone) or 528 PLN/each member of your family/month

CASE STUDY

How much money do you need to have if:

You are from Ukraine and live alone. It is a 1st semester of 2nd year of studies (3 years studies).

You have already paid for the second semester.

Each semester costs 7000 PLN. You pay rent and utilities at the amount of 2000 PLN.

You will apply for permit for 16 months (you will end your studies on June 2021).

TEMPORARY RESIDENCE PERMIT

Sufficient funds – how can I prove it?

- Funds on your Polish **personal bank account** (can be on several bank accounts, can be in different currency), issued the earliest 1 month before your application
- confirmation of **scholarship**
- traveller's check
- limits on your credit card (issued the earliest 1 month before your application)
- **employment contract** (confirmation of employment issued the earliest 1 month before your application)
- other

TEMPORARY RESIDENCE PERMIT

For how long can I receive a permit?

- 1st permit – 15 months (not longer than up to 3 months after your graduation),
- 2nd and next – up to 3 years (not longer than up to 3 months after your studies) **Attention!** When you are about to finish your studies

How long will I wait for the decision in my case?

- 60 days (law); around 8 months for TRC (practice)
- Request for urgent consideration of the case/ complaint to the administrative court on the failure to act

TEMPORARY RESIDENCE PERMIT

WHAT CAN I DO IF I RECEIVED A NEGATIVE DECISION?

- **Appeal** within 14 days to the Head of the Office for Foreigners (your rights and obligations do not change) **Attention!** You lodge the appeal to the Voivode office.
- **Leave** Poland and EU countries within 44 days from the date that you were served with a negative decision (30 days if you received a negative decision from the Head of the Office for Foreigners)
- If you received a negative decision from the Head of the Office for Foreigners you can **lodge a complaint** to the Voivodship Administrative Court within 30 days. Yet, you still have to leave Poland within those 30 days (unless you have valid visa/TRC/other document allowing you to stay in Poland). Otherwise you could be deported.

TEMPORARY RESIDENCE PERMIT

RIGHTS AND OBLIGATIONS DURING THE PROCEDURE

- if applied while staying legally in Poland, you should receive a stamp in your passport
- you can legally stay in Poland during your procedure (also at the appeals level)
- you can return to your country and apply for a visa (**Attention!** You cannot travel within EU without a visa)
- you can legally work in Poland if you are staying in Poland legally and are enrolled at the full-time studies (studia stacjonarne)

TEMPORARY RESIDENCE PERMIT

IMPORTANT INFORMATION

- **Always** inform administrative authorities if you change your address and check your postmail **regularly**
- **Never** submit false information or documents
- **Always** demand a confirmation if you submitted a document to the authorities or collect a confirmation that you sent a document from the post office
- **Make sure** that all your documents stay valid while you wait for the decision (medical insurance, lease agreement, certificate of enrolment)
- **Make sure** that your lease agreement indicates that your rent covers also utilities or submit receipts for utilities/written statement from your landlord
- All documents must be translated into Polish by a **sworn translator**
- Submit **original documents or copies certified by a notary**

CHANGES DUE TO CORONAVIRUS

- Deadline for the appeal. **Attention! New Anti-COVID-19 Schield 3.0**
- Extention of legal stay, if national visa or TRC ends during the coronavirus (to 30 days after the revocation of an epidemic risk)
- Extention of stay if you were in Poland on 14 March 2020 on Schengen visa or visa free movement (to 30 days after the revocation of an epidemic risk) (you can work with a work permit)

In those situations you do not need to apply for the extention of your residence permit/visa!

RIGHT TO WORK

- Full-time studies (studia stacjonarne) – you **can work without** an additional work permit
- Graduate of a Polish school or University – you **can work without** an additional work permit
- Temporary work permit based on studies – you **can work without** additional work permit
- Students of part-time studies (studia niestacjonarne) or extra-mural education (studia zaoczne) or post-graduate studies staying in Poland on a visa – you **need to get a work permit**

Attention! If you work without a permit you will receive a deportation order!

Thank you!

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