

Brexit

- the last chance to confirm the acquired rights of UK citizens to stay and work in Poland

The upcoming end of the year is the last chance to confirm the acquired rights to stay and work in Poland by the citizens of the United Kingdom and their family members.

From January 1, 2021, UK citizens can stay and work in Poland under the conditions provided for non-EU citizens. This means that in order to work, it is necessary to obtain a work permit, and to stay longer than 90 days in a 180-day period, it is necessary to obtain an appropriate visa or residence permit.

However, this requirement does not apply to UK nationals who are beneficiaries of the so-called Withdrawal Agreement.

BELOW WE PRESENT TWO PATHS FOR THE LEGALISATION OF RESIDENCE AND WORK, DEPENDING ON THE RESIDENCE SITUATION OF THE BENEFICIARY OF THE WITHDRAWAL AGREEMENT:



#1

If a United Kingdom citizen or their family member has obtained a relevant residence permit (e.g. a certificate of registration of EU citizens' residence or a residence card of an EU citizen's family member), an application for a new residence permit will be required by **31 December 2021** at the latest.

After submitting the documents to the province governor's office, the foreigner will receive a certificate confirming the submission of the application, valid for a period of 1 year, serving as a temporary residence permit. The certificate will confirm the use of the rights of the beneficiary of the Withdrawal Agreement when crossing the borders and will make it possible to stay in Poland under the existing conditions.



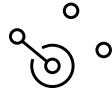
#2

If the citizen of the United Kingdom or their family member has not obtained a residence permit before the end of the transitional period (i.e. 31 December 2020) or has not applied for one, they should apply for registration of residence (and issuing a certificate of registration of residence) or issuing a document confirming the right of permanent residence immediately after January 1, 2021

At the same time, a UK citizen has the right of residence if they meets one of the following conditions:

- ⦿ is employed (excluding delegated persons) or self-employed persons;
- ⦿ has sufficient financial resources to support themselves and their family members;
- ⦿ is studying or undergoing vocational training;
- ⦿ is a spouse of a Polish citizen;
- ⦿ is a frontier worker;

CONDUCTING BUSINESS TRIPS



Companies will still be able to send employees on business trips to participate in meetings, consultations, marketing and sales research as part of the visa-free regime (up to 90 days in a 180-day period).

Residence permits that the beneficiaries of the Withdrawal Agreement will be able to use after the end of the transition period, entitling them to travel within the Schengen area without a visa are the following:

- ⦿ a document confirming the right of permanent residence;
- ⦿ residence card of a family member of an EU citizen;
- ⦿ permanent residence card of a family member of an EU citizen
- ⦿ certificate of submission of the application for the issuance of a residence permit for the beneficiary of the Withdrawal Agreement, valid for 1 year;
- ⦿ certificate of registration of residence (for a British citizen in the case of having the right of residence, which will not apply to a certificate of registration of residence of a frontier worker).

Our Crido Employment & Immigration team will be happy to assist you on broad spectrum of compliance and advisory related to employees matters.

IN CASE OF ANY QUESTIONS PLEASE CONTACT US FREELY



Michał Wodnicki

PARTNER

E: michal.wodnicki@crido.pl

M: +48 538 626 921



Olga Senychak

SENIOR IMMIGRATION CONSULTANT

E: olga.senychak@crido.pl

M: +48 538 819 931

