

monthly newsletter

# WHAT'S NEW IN GLOBAL MOBILITY & IMMIGRATION

March 2024



## Dear Readers,

We are excited to share the latest edition of our "What's New in Global Mobility & Immigration" newsletter!

Last month was a whirlwind in the world of immigration law so we have outlined the key developments you need to know about.

You can also follow our law firm on social media for the most topical immigration news and insights.

Enjoy reading, and please get in touch if you have any questions.

**Karolina Schiffter**, advocate, partner

**Ewa Wysocka**, trainee attorney-at-law, lawyer

## NEW SALARY THRESHOLD FOR EU BLUE CARDS

The current minimum salary required for non-nationals applying for an EU Blue Card (for highly qualified professionals) is PLN 10,733.22 gross per month.

! This concerns all applications for the issuance or change of the existing Blue Cards put through this year, regardless of whether or not the new minimum salary threshold was already in place at the time of applying. We recommend checking that all submitted employee applications meet this new requirement.

! Existing EU Blue Cards are not affected and remain valid. Therefore, employers do not need to adjust salaries to meet the new threshold.

## UKRAINIAN EMERGENCY LAW AMENDED: UKRAINIANS CAN LEGALLY STAY IN POLAND UNTIL 30 JUNE 2024

On 22nd February 2024, the Act on Assistance to Ukrainian Citizens in Connection with the Armed Conflict on the Territory of that Country, commonly referred to as the Ukrainian Emergency Law, was officially amended.

The amended law will extend special immigration solutions for Ukrainians until 30th June 2024. This includes residency rights for those whose permits expired after 24th February 2022 and those who hold the temporary "UKR status".



Furthermore, Ukrainians can still be employed through the [praca.gov.pl](https://praca.gov.pl) portal's simplified process introduced by the emergency law and operate as sole traders in Poland. The government is currently working on further amendments to this law.

## POLISH "VISA SCANDAL" INVESTIGATION: FORMER MUMBAI CONSUL TESTIFIES

The investigation into the "visa scandal" revealed last year continues. The former Polish consul in Mumbai, Damian Irzyk, testified that the consulate was pressured by the Ministry of Foreign Affairs to issue visas to Indian citizens, even when they did not meet all the requirements and their qualifications for prospective work in Poland were questionable.

Securing a Polish visa from India has become a notoriously difficult process, causing significant delays (often stretching to several months) for employers seeking Indian specialists.



We expect that, in the wake of the former consul's testimony and the exposed extent of visa process irregularities, the already challenging situation surrounding visa issuance in India may deteriorate even further.

## DRAFT AMENDMENT TO NON-NATIONALS ACT: E-APPLICATIONS AND BLUE CARD REVAMP

In mid-February, a draft amendment to the Non-nationals Act and other related laws surfaced, proposing significant changes to regulations governing non-national residents and workers in Poland.



A key change involves the issuance of the EU Blue Card for highly qualified professionals. This card will allow the holder to work in Poland without any predetermined employment conditions beyond a specified salary. This essentially grants Blue Card holders open access to the Polish labour market, requiring only notification to the Province Governor (Wojewoda) if they change employers or no longer qualify.

Another revolutionary shift would be introducing a fully electronic application process for residence permits. The draft proposes that non-nationals submit all applications through individual accounts in the "Module of Case Service" (Moduł Obsługi Spraw, MOS), an electronic system operated by the Office for Non-nationals. This eliminates the option of submitting paper applications.

As the amendment implements provisions of an EU Directive with a November 2023 deadline, we anticipate swift legislative progress, potentially leading to a quick enactment of the proposed changes.

## POLISH-SLOVAK BORDER CHECKS LIFTED

The Polish Ministry of Interior and Administration has lifted border controls on the Slovak border, which lasted until midnight on 2nd March 2024.

According to Polish authorities, irregular migration activity along the Balkan route has declined and the overall migration situation in this sector has stabilised.



However, ongoing monitoring of the border will continue. The possibility of reintroducing controls remains if a significant increase in illegal migration is detected.

## GLOBAL MOBILITY&IMMIGRATION

We advise on all global workforce mobility matters, including immigration, tax and social security issues. Our practical solutions are based on years of experience.

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