

monthly newsletter

WHAT'S NEW IN GLOBAL MOBILITY & IMMIGRATION

May 2024



Dear Readers,

Welcome to the latest edition of our newsletter, What's New in Global Mobility & Immigration! In this issue, we will cover some key updates related to non-national employment and relocation in Poland.

Follow our law firm on social media for the latest immigration news.

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

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E-FILING FOR RESIDENCY PERMITS SCRAPPED

A recent bill amending the Non-nationals Act has scrapped the planned online applications for residence permits in Poland. The earlier version proposed replacing the current system of in-person application submission with online applications. Under this plan, non-nationals would submit and sign residence permit applications through individual accounts in the central online system called the Module of Case Service (Moduł Obsługi Spraw, MOS), operated by the Office for Non-nationals.

However, the Ministry of the Interior and Administration has acknowledged concerns raised about the project. Critics pointed out that the online application is underdeveloped, the supporting systems are not yet ready, and the project contains loopholes that could create difficulties for permit applicants.



While the online application system is currently on hold, it is likely to be reintroduced once the procedures and supporting systems are sufficiently improved.

UKRAINIAN PASSPORT RENEWALS FOR MEN ABROAD SUSPENDED

As of 23rd April 2024, Ukrainian male citizens aged 18-60 residing outside Ukraine can only obtain new passports within Ukraine. This decision aligns with the country's new conscription rules coming into effect on 18th May 2024.



While the inability to renew a travel document will not automatically impact non-national citizens' right to stay and work in Poland, it could create significant hurdles for those seeking to renew residence and work permits or travel internationally.

NEW BILL ON LABOUR MARKET ACCESS FOR NON-NATIONALS IN DEVELOPMENT

The Council of Ministers has released key points outlining a new bill on governing access to the Polish labour market for non-nationals. The new law will replace those sections of the current Act on employment promotion and labour market institutions that concern the employment of non-national workers.



Here are some highlights of the proposed legislation:

- replacing the existing 'starosta's information' (labour market test) with a more effective procedure to be implemented in specific situations (details on the new procedure are not yet available),
- implementing stricter requirements for work permits issued to recently established businesses or those operating from virtual offices,
- limiting practices related to employee outsourcing,
- requiring employers to educate non-national workers about their employment rights, including the right to join trade unions.

We will continue to provide updates on the development of this new law.

NEW RULES FOR EU SINGLE PERMIT

On 12th April 2024, the European Council approved significant changes to the Single Permit system, which combines work and residence permits for foreigners in the EU. Here are the key updates:

- foreigners (or their employers) can now submit Single Permit applications from outside the EU,
- authorities will have stricter deadlines to make decisions on Single Permit applications, aiming for a resolution within three months of submission,
- Single Permit holders will have more freedom to change employers within the EU. Member states may require notification or a new labour market test depending on their specific regulations.



EU member states have two years to transpose these changes into their national laws, with a deadline on 21st May 2026.

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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