

WHAT'S NEW IN GLOBAL MOBILITY & IMMIGRATION

April 2025



Dear Readers,

The April edition of 'What's New in Global Mobility & Immigration' is here! We are right in the middle of a dynamic period of immigration law updates, making it a particularly busy time for Global Mobility & Immigration specialists. This issue summarises the essential recent developments you need to know.

Stay up to date with all relevant immigration news by following our law firm on social media.

Enjoy your reading and please do not hesitate to contact us with any questions.

Karolina Schiffter, advocate, partner

Ewa Wysocka, attorney-at-law, senior lawyer

UPDATE ON IMMIGRATION LAW AMENDMENTS

Work continues on the legislative changes impacting Polish immigration law.

The President has signed the Act on the admissibility conditions for giving work to non-nationals in the Republic of Poland, and it is now awaiting publication in the Journal of Laws. This legislation is expected to take effect on 1st June 2025.

On 9th April 2025, the Senate proposed amendments to the Sejm's version of the Non-nationals Act, and these are currently being considered by the Sejm.

The Senate passed the Act on the amendment of certain acts to eliminate irregularities in the Polish visa system without any changes, and it will now be sent to the President for signature.



SUBMITTING COPIES OF NON-NATIONAL WORKER AGREEMENTS POSTPONED UNTIL NEW IT SYSTEM LAUNCH

A new obligation under the Act on the admissibility conditions for giving work to non-nationals in the Republic of Poland requires employers to submit copies of contracts with non-national workers to the authorities via an IT system before they start working.



However, it was not clear whether this obligation would begin with the Act's implementation (using the praca.gov.pl portal) or upon the launch of a completely new system, which is currently under development and to which other provisions of the new Act also refer.

The Ministry of Family, Labour and Social Policy has clarified that the obligation to submit these contracts is suspended and will be effective when the new IT system is fully operational, which is expected within the next few months. The Ministry has emphasized that the development of this system is a high priority.

INTENSIFIED CHECKS ON LEGALITY OF NON-NATIONALS' STAY IN POLAND

Polish media are reporting a significant increase in checks on the legality of non-nationals' stay in Poland. Within just two days, nearly 400 proceedings were initiated regarding the obligation for non-nationals to return to their countries of origin.

The largest group targeted in these checks were Ukrainians (over 1,000 individuals), followed by citizens of Georgia (264) and Colombia (204). The Border Guard also scrutinized the residency status of individuals from Nepal, the Philippines, India, Bangladesh, Belarus, Indonesia, and Moldova.



Deportation proceedings have already commenced against nearly 180 Ukrainian citizens, 60 Georgians, and 60 Colombians. The primary reason for these actions was the non-nationals' lack of a valid residence permit.

Polish authorities have consistently stated their commitment to combating illegal immigration. We anticipate that these types of controls will become more frequent in the near future.

POLAND CAUTIONS UKRAINIANS AGAINST USING INTERNATIONAL PROTECTION TO AVOID MILITARY DRAFT

In 2024, approximately 7,000 applications for international protection were submitted in Poland by Ukrainian citizens. A significant portion of these applications came from men of military service age in Ukraine seeking to avoid the draft.

The Office for Foreigners, the body responsible for reviewing these applications, has emphasized that fear of war, military draft, and the desire to avoid civic duties do not constitute grounds for granting international protection in Poland. The Office will thoroughly examine these applications to determine whether their primary purpose is to avoid military service in Ukraine.



It is important to note that the Act on assistance to Ukrainian citizens in connection with the armed conflict on the territory of that country remains in effect in Poland, allowing any Ukrainian citizen legally residing in Poland to benefit from the protections it provides.

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.

Contact:

Karolina Schiffter

advocate, partner
karolina.schiffter@pcslegal.pl
+48 506 745 523

Tomasz Rogala

attorney-at-law, partner
tomasz.rogala@pcslegal.pl
+ 48 698 184 499

Ewa Wysocka

attorney-at-law, senior lawyer
ewa.wysocka@pcslegal.pl
+48 664 936 793