



Overview of Changes to the Legislation in Poland

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INSTYTUT NA RZECZ PAŃSTWA PRAWA

As of August 2023, there have been no significant changes in Polish legislation regulating the broadly understood foreigners' issues. However, there have been some announcements and minor changes that may also affect foreigners residing in Poland.

A change in the form of an explanatory announcement was posted on the GOV.PL portal at <https://www.gov.pl/web/ukraina/wazny-komunikat>. The information published on the official government portal concerns visas issued to foreigners residing outside the territory of Ukraine through a representative. Recently, a quite popular service has emerged involving Ukrainian citizens physically present in Poland applying for a visa at a Polish consular office. Regarding this matter, an explanation has been published to dispel any previous doubts. Namely, an individual applying for a visa through correspondence or through a representative must be present within the territory of the country where the consulate to which the application is directed is located. This applies to the following countries: Ukraine, Belarus, Moldova, Georgia and Armenia, where regulations allow individuals residing or staying within the territory of these countries to submit applications for national visas to Polish consulates situated in these countries via correspondence or through a representative. A person residing outside the territory of the aforementioned countries (even if they are in Poland) is not eligible to successfully submit a visa application at a Polish consulate based in one of the mentioned countries, regardless of the chosen method - whether through correspondence or through a representative. If such an application reaches the consulate and during its analysis it's discovered that the applicant is not within the territory of the country where the application should be considered, the application will remain unprocessed and will be returned to the sender.

In the event that a visa application is submitted to the Consulate General of the Republic of Poland in Lviv by a person who is not present within the territory of Ukraine, the application will not be considered and will be sent back to the sender. It's important to emphasize that the introduction of the possibility to submit applications through representatives or by correspondence was intended to facilitate the visa process during the COVID-19 pandemic and still applies due to the war in Ukraine. This possibility makes it easier for people from different regions to use the visa procedure through the Consulate General of the Republic of Poland in Lviv and eliminates the difficulties of reaching the consulate caused by the war. In general, the regulations on the issuance of visas at Polish consular offices presuppose the filing of an application in person, in addition to the exceptions described in the regulations. Therefore, it is worthwhile to use the exceptions specified by the regulations in situations consistent with their original purpose.

Another change that has been adopted concerns the child-rearing benefit. On 7 August 2023, the President of the Republic of Poland signed an amendment to the Act on State Aid in Raising Children. As a result, starting from 1 January 2024, the amount of the child-rearing benefit (commonly known as "500+") will be increased to 800 PLN per child, until they reach the age of 18. This means that from the beginning of 2024, the child-rearing benefit will be raised by 300 PLN.

The Social Insurance Institution (ZUS) will automatically increase the amount of the benefit for all eligible individuals who, as of 1 January 2024, will be entitled to the benefit. Therefore, there is no need to submit an additional application in this matter.

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