

residence permit for the specified period of time, the alien must leave the territory of the Republic of Poland and await the decision abroad. In such case the alien must appoint a proxy for deliveries in the territory of the Republic of Poland and notify the authority conducting the procedure of this fact.

Persons who reside in the territory of the Republic of Poland on the basis visa-free traffic do not have the right to obtain procedural visas. Such persons must leave the territory of the Republic of Poland after expiry of the period of permissible residence in the visa-free traffic if they do not obtain a permit in this time.

- Applications for **settlement permit** and for **long-term EC resident** - must be submitted at the latest at the last day of the legally permissible residence period in the territory of the Republic of Poland. Aliens who will meet all the required deadlines are entitled to the procedural visa.
- Completion of formal lacks – within 7 days (counting from the date following the date of receipt of request in that matter)
- Complaints – within 7 days (after receiving a decision)
- Appeals – within 14 days (after receiving a decision)

The above-mentioned deadlines include calendar days as well as

Saturdays and Sundays, banks holidays and Wednesdays when the Department of Foreigners at the Mazowieckie Province Office does not admit applicants.

For example an alien received a decision on April 30 – deadline for submission of appeals lapses on May 14 (after 14 days), despite the fact that in this time in Poland two bank holidays, apart from Saturdays and Sundays, are celebrated.

Submission of applications or sending documents to the Office after expiry of the set deadline bears serious consequences for the alien.

An applicant who submits the application for residence legalization after expiry of the set deadline will



not be issued a visa for the time of the application examination. Also the legal residence permit in the territory of the Republic of Poland will be lost and the alien will be forced to leave the country. Illegal residence bears the risk of deportation or obligation to leave the territory of the Republic of Poland.

Submission of complaints or appeals as well as completion of formal lacks after expiry of the set deadline will make your case left undetermined.

You will have to lodge an application regarding the matter once again and the procedure will be initiated from the beginning.

Fees

Examination of applications concerning the legalization of residence is provided against payment. For the current information on applicable fees visit the web site of Mazowieckie Province Office at www.mazowieckie.pl and go to the bookmark “Poradnik Klienta”.

Procedural visa

An alien, who submits an application for legalization of residence within the set deadline,

has the right to be granted the so called procedural visa – visa valid for the time of examination of his/her application. This is the “D”-type visa, valid for a period longer than three months. You do not have to submit an application for the visa. It is issued ex officio, you just have to register with the Department of Foreigners after expiry of previous document entitling you to reside in the territory of Poland.

Procedural visa is a national visa – it entitles you to reside only in the territory of Poland. It does not entitle aliens to visa-free travelling abroad, also within the Schengen Area.

Period of examination of application

Matters concerning residence permit for a specified period of time are normally examined within 45 to 90 days.

Settlement permit is issued within 60-90 days.

Residence permit for a long-term EC resident – up to 90 days

However, the period of examination of applications is individual. If the procedure lasts too long, the alien receives information about prolongation of the deadline together with explaining the reasons and setting the next deadline for the decision issuance.

Developed on the basis of the following provisions: Administrative Procedure Code (Journal of Laws of 1960 no 30 item 168) and the Act on Aliens dated June 13, 2003 (Journal of Laws 2006, no 234 item 1694 as amended)

Legalization of residence in the territory of Poland



Photo: Paul Preacher | www.paulpreacher.com

When you attend to matters tied to legalization of your residence in the territory of Poland remember you may lodge your residence application personally, or send it by post. The most important is to lodge the application within the required deadline.

If you submit the application for residence permit for a specified period of time after expiry of the deadline, you will not be granted a national visa for the period of proceedings (the so called procedural visa) and you will be forced to leave the territory of the Republic of Poland prior to expiry of a previous residence permit or visa and await residence decision abroad.

Submission of application

Applications for residence permit for a specified period of time, residence permit for a long-term EC resident or settlement may be submitted in person:

- with the Department of Foreigners, at ul. Długa 5, 00-263 Warszawa, Monday 10:00 a.m. to 5:30 p.m., Tuesday, Thursday, Friday 8:00 a.m. to 3:00 p.m. (to submit an application it is necessary to register by taking a ticket with the number at the entrance)
- At the Tenants Service Point for capital city of Warsaw OPOM at the “Centrum” underground station from Monday to Friday 12.00 pm. to 7.30 pm.
- At the Main Bureau of Mazowieckie Province Office at Plac Bankowy 3/5, Monday to Friday, 8:00 am. to 3:30 pm.
- At the Delegation Branch Offices of the Mazowieckie Province Office in Ciechanów, Ostrołęka, Płock, Radom and Siedlce.

While submitting the application or other documents in person it is advised to obtain confirmation of their submission. The Office may confirm receipt of the application by placing the stamp of the Office and the date of receipt of the document on an additional copy of the document that the applicant is obliged to provide for that purpose. Such confirmation, like the postage receipt,

is the proof that the application was submitted in time.

Submission by mail

Note that it is possible to submit an application by mail! It should be sent to the following address:

*Wydział Spraw Cudzoziemców
(Department of Foreigners)
Mazowiecki Urząd Wojewódzki
(Mazowiecki Province Office)
Ul. Długa 5
00-263 Warszawa*

A postage date is considered as the date of submission at the Office. Thus it may be a good idea to send an application by mail if the deadline of submission is approaching.

NOTE! Documents sent by post should be sent via registered mail since the documents postage receipt simultaneously constitutes confirmation of submission of application within the required deadline. It is important that you keep the documents postage receipt until the procedure is completed.

If you send the documents by mail it is useful to enclose copies of the original certified for conformity by a notary public. Do not send your passport. Do not send original documents. You should present original documents only upon request of the Office in order to certify for their conformity before an official.

The time of examination of the applications sent by mail is a bit longer than examination of documents submitted in person.

Online applications

On the website www.mazowieckie.pl you can find application forms for legalization of residence, which you can fill in online. After filling in the form print and submit it at the office together with required enclosures. Electronic way of filling in significantly shortens the time of acceptance of applications.

Make an appointment to submit an application

Submission of applications for settlement permit, residence permit for a long-term EC resident or residence permit for a specified period of time takes quite a long time.



If you want to avoid waiting in queues, please call to make an appointment: (22) 695 67 61 or (22) 695 67 64.

It saves your time since you do not have to wait in queues. However, you should be on time – if you have a more than ten minutes' delay you will not be serviced.

NOTE: You cannot make an appointment after the deadline for submission of the application.

Deadlines

Each matter shall be settled within a time limit specified in regulations:

- Applications for residence **permit for the specified period of time** - should be submitted within 45 days at the latest prior to expiry of visa validity period or a previous residence permit for the specified period of time.

If the application is submitted in time, the applicant is granted a national visa (the so called procedural visa) which allows him/her to reside in the territory of the Republic of Poland for the time of the application's examination. Submission of application after the specified deadline is possible, however in such case the visa which would otherwise allow the applicant to wait for the decision in the territory of the Republic of Poland cannot be issued. Upon expiry of visa validity period or a previous



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www.interwencjaprawna.pl

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Polish Migration Forum
www.forummigracyjne.org

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