



Legal Alert

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Special Act on assistance to Ukrainian citizens

As announced, the Act on assistance to Ukrainian citizens regarding the armed conflict on the territory of Ukraine was enacted on Saturday. The legislation is effective retroactively as of 24 February 2022. Below is a summary of the changes introduced by the Act.

UPDATE: As a result of the amendment, the Act on assistance to Ukrainian citizens covers Ukrainian citizens and their spouses who entered Poland from 24 February 2022, regardless of which border they crossed when entering Poland.

The Act defines the rules to legalise the residence and work of Ukrainian citizens who came to Poland because of the war from the territory of Ukraine from 24 February 2022, by which they are understood as:

- **citizens of Ukraine;** and
- **spouses of Ukrainian citizens** who do not hold Ukrainian citizenship.

Legal residence for Ukrainian citizens and their spouses

If a Ukrainian citizen enters the territory of Poland legally and declares their intention to stay in the territory of Poland, their stay is considered legal for an **18-month period** counting from 24 February 2022, i.e. **until 24 August 2023**.

This rule also applies to Ukrainian citizens holding a Polish Card who arrived in Poland from 24 February 2022.

The residence of a Ukrainian citizen will not be legalised under the above rules if they had:

- a permanent or temporary residence permit;
- a long-term resident status of the EU;
- refugee status or subsidiary protection; or
- applied or declared to apply for international protection.

If a Ukrainian citizen leaves Poland for a period longer than 1 month, this will deprive them of the possibility to legalise their stay for 18 months.

Registration of residence at the seat of a municipal authority

Persons who have crossed the border and have not been recorded by the Border Guard (they do not have a stamp in their passport or a permit from the commander) must apply to register their stay within 60 days of entry at a municipal office.

PESEL numbers for Ukrainian citizens

A Ukrainian citizen has the right to apply for a PESEL number **in any municipality**.

A PESEL number is assigned by confirming the identity of the Ukrainian citizen with a travel document, Polish Card, or other document with photo and in the case of children, also with a birth certificate.

Granting a temporary residence permit

Ukrainian citizens, whose stay in Poland will be legal under the special law, will be able to apply for a temporary residence permit. The permit will be issued for 3 years at a time. **Granting a temporary residence permit will entitle a Ukrainian citizen to legally work without the need to possess a work permit.**

An application for a temporary residence permit can be submitted only after 9 months and no later than 18 months of legal residence counting from 24 February 2022.

Facilitating employment

Ukrainian citizens who legally stay in Poland based on the provisions of the special Act or previous legal regulations, will have the right to work based on a notification from a district employment office on the assignment of work to a foreigner. The employer must submit this notification within 14 days of a Ukrainian citizen starting employment.

Medical care and benefits for Ukrainian citizens

Every Ukrainian citizen legally residing in Poland will have access to the public health care system. Children and young people can be enrolled in Polish institutions. It is enough for their parents to apply to the nearest institution and fill in the appropriate documents.

Ukrainian citizens will be entitled to additional benefits, including child care and family benefits. Additionally, a Ukrainian citizen legally residing in Poland and having a PESEL number is entitled to a single cash benefit of 300 PLN per person.



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