

ABC ABOLITION

As of 01.01.2012 new provisions will enable foreigners to legalise their stay in Poland.

Abolition will be available for foreigners staying illegally in Poland on 01.01.2012 and continuously at least:

- since 20 December 2007,
- since 1 January 2010, who prior to that date were granted a final decision on refusal to award the refugee status along with the expulsion decision,

or

- for whom on 1 January 2010 next proceedings for the award of the refugee status were carried out.

But when considering abolition, it is assumed that the foreigner's stay is continuous unless the documentation specifies otherwise.

It will be possible to submit an application for legalisation of stay, the so-called abolition, since 01.01.2012 to 02.07.2012 to the Voivode with territorial jurisdiction for the foreigner's place of residence.

Note: Applications submitted before 01.01.2012 and after 02.07.2012 will not be considered.

After submitting the complete application, the foreigner will receive a stamp in their passport confirming their legal stay until the date of issuing the final decision. When considering the application for abolition, the foreigner's fingerprints will be taken.

The positive decision will result in issuing a residence permit valid for two years. Within this period, the foreigner will be able to start a job without a permit - under the employment contract.

A foreigner, who receives a refusal will be entitled to appeal to the Head of the Office for Foreigners.

A negative decision will be issued if:

- the foreigner does not meet the requirements for abolition;
- their data are in the Schengen Information System (SIS) or in the register of foreigners, and their stay in the territory of the Republic of Poland is undesirable;
- the foreigner gives false information in the application or submits false documents;
- it is justified by the national security or defence, or by the protection of public safety and order or the interests of the Republic of Poland;

Act of 28 July 2011 on legalisation of stay of some foreigners in the territory of the Republic of Poland and on amendments to the Act on granting protection to foreigners in the territory of the Republic of Poland and to the Act on Foreigners