

# Working without a permit

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## Categories of foreigners who can work without a permit in Poland

A foreigner can work in Poland without a work permit or a temporary residence and work permit if:

1. they hold a refugee status granted in Poland;
2. they were awarded supplementary protection in Poland,
3. they hold a permanent residence permit in Poland,
4. they hold a residence permit for an EU long-term resident in Poland,
5. they hold a residence permit due to humanitarian reasons,
6. they hold a permit for tolerated stay in Poland,
7. they hold a valid certificate issued under Article 35 section 1 of the Act of 13 June 2003 on Granting Protection to Foreigners in Poland,
8. they benefit from temporary protection in Poland,
9. they are a national of a European Union member state,
10. they are a national of a state in the European Economic Area not belonging to the European Union,
11. they are a national of a state not being a party to the Agreement on the European Economic Area who can benefit from the freedom of movement for workers based on the agreements executed by such states with the European Community and its member states,
12. they accompany a foreigner named in item 9–11 in Poland as a family member pursuant to the Act of 14 July 2006 on the entry into, residence in and exit from the Republic of Poland of nationals of the European Union Member States and their family members,
13. they are a person mentioned in Article 19 section 2–3 of the Act of 14 July 2006 on the entry into, residence in and exit from the Republic of Poland of nationals of the European Union Member States and their family members,
14. they hold a temporary residence permit in Poland, as mentioned in Article 114, Article 126, Article 127 or Article 142 section 3 the Act of 12 December 2013 on Foreigners, based on the terms and conditions stipulated in the said permit,
15. they hold a work permit and stay in Poland:
  - based on a visa, except for a visa granted for the purpose mentioned in Article 60 section 1 item 1, 22 or 23 of the Act of 12 December 2013 on Foreigners or
  - based on Article 108 section 1 item 2 or Article 206 section 1 item 2 of the Act of 12 December 2013 on Foreigners or based on a stamp in a travel document, confirming the submission of an application for a residence permit for an EU long term resident, if they were entitled to work in Poland directly before submitting the application, or
  - based on a temporary residence permit, except for a permit granted in connection with the circumstance mentioned in Article 181 section 1 of the Act of 12 December 2013 on Foreigners, or
  - based on the document mentioned in Article 61 of the Act of 12 December 2013 on Foreigners, stipulating a family member status of a member of a diplomatic mission or a consulate of a third state or another person equal to them pursuant to acts, agreements or popularly accepted customary international law, living in the same household with the said person, if an international agreement or memorandum of understanding on doing paid work by the family members of the diplomatic mission or consulate personnel was signed by and between Poland and the third state, or
  - based on a visa issued by another Schengen Area state, or
  - based on a residence document issued by another Schengen Area state, or
  - within a non-visa traffic,

16. they hold a temporary residence permit in Poland, granted in connection with the circumstances mentioned in Article 144, Article 151 section 1 or 2, Article 158 section 2 item 1 or 2, Article 161 section 2, Article 176 or Article 186 section 1 item 3 or 4 of the Act of 12 December 2013 on Foreigners,
17. they are a spouse of a Polish or foreign national mentioned in section 1 and section 1 items 1–6, holding a temporary residence permit in Poland granted in connection with contracting marriage,
18. they are a descendant mentioned in Article 2 section 1 item 8 letter b of a Polish national or a foreigner, mentioned in section 1 and 2, as well as section 1 item 1–6, holding a temporary residence permit in Poland,
19. they hold a temporary residence permit in Poland, granted pursuant to Article 159 section 1 of the Act of 12 December 2013 on Foreigners,
20. they stay in Poland based on Article 108 section 1 item 2 or Article 206 section 1 item 2 of the Act of 12 December 2013 on Foreigners or based on a stamp in a travel document, confirming the submission of an application for a residence permit for an EU long term resident, if they were exempted from the obligation to hold a work permit under section 1–4 directly before submitting the application,
21. they hold a valid Polish card,
22. they are entitled to stay and work in a member state of the European Union or a state of the European Economic Area not belonging to the European Union or in the Swiss Confederation, and they are employed by an employer whose seat is situated in that state and they are delegated temporarily by the said employer to provide services in Poland,
23. with respect to whom international agreements or separate regulations allow to work without a permit,
24. they are a national of a state named in the regulations issued pursuant to Article 90 section 10 item 2 who works outside the activities stipulated in the regulations issued under Article 90 section 9 for no longer than 6 months during 12 consecutive months if the Poviát Labour Office entered the declarations on entrusting work to a foreigner in the register of declarations before the foreigner started work and work is done based on the terms and conditions stipulated in the said declaration.
25. they are a national of a state other than named in the regulations issued pursuant to Article 90 section 10 item 2 doing jobs stipulated in the regulations issued under Article 90 section 11 for no longer than 6 months during 12 consecutive months if the Poviát Labour Office entered the declarations on entrusting work to a foreigner in the register of declarations before the foreigner started work and work is done based on the terms and conditions stipulated in the said declaration.
26. they belong to a category of foreigners exempted from the requirement to obtain a work permit under the Regulation of the Minister of Labour and Social Policy of 21 April 2015 on the cases when entrusting work to a foreigner within the Republic of Poland is allowed without the necessity to obtain a work permit (Journal of Laws item 588 as amended) which comprises the following foreigners:
  - leading training, participating in vocational traineeships, fulfilling an advisory, supervisory function or the one requiring specific qualifications and skills in programmes implemented within the European Union activities or other international aid programmes, including based on loans contracted by the Polish Government,
  - foreign language teachers who work in nursery schools, schools, institutions, centres, teachers' training institutions or colleges mentioned in the regulations on the education system or in Voluntary Labour Corps,
  - members of armed forces or civilian personnel working in international military organisations situated in Poland or foreigners delegated to implement armament programmes implemented based on agreements Poland is a party to,
  - regular correspondents of foreign mass media who were granted, on request of the chief editor of the foreign editorial office or agency, the credentials of the minister of foreign affairs, but solely within the professional journalist's activity carried out for the said editorial office or agency,

- providing individual or group artistic services for up to 30 days in a calendar year, including performers (eg. actors, musicians, dancers) and other persons performing artistic activities (eg. directors, screenwriters, stage designers, choreographers, film operators, sound engineers, light technicians, makeup artists),
- giving, for up to 30 days in a calendar year, occasional lectures, papers or presentations of a particular scientific or artistic value,
- sportspeople working, for up to 30 days in a calendar year, for an entity having a seat in Poland in connection with sports competitions,
- working in connection with international sports events, sent by a relevant international sports organisation,
- clergy, members of religious orders or other people performing work related to their religious function in churches and religious associations and in national inter-church organisations the status of which is regulated by an international agreement, provisions on the relationship between the State and the church or another religious association, or who act on the basis of entry in the register of churches and other religious associations, their legal persons or organisational units, and also who perform work as a part of performing religious function in other entities, on the basis of delegation from the relevant body of the church or another religious association, or its legal entity;
- students of full-time studies in Poland or participants of full-time PhD studies in Poland,
- students who work under professional internships, to which they were referred by organisations being members of international student associations,
- students who work within the cooperation of public employment services and their foreign partners, if the need to entrust work to a foreigner is confirmed by the competent employment body,
- students of universities and vocational schools in the European Union member states or countries of the European Economic Area not being part of the European Union or the Swiss Confederation who perform work within the professional traineeship provided for in the rules of their courses or the curriculum, provided they were referred to such a traineeship by their relevant university or vocational school,
- participants of the cultural or educational exchange programmes, humanitarian or development aid programmes or working holiday schemes for students, organised in cooperation with the minister competent for labour,
- graduates of Polish upper-secondary schools, full-time university studies or full-time PhD courses at Polish universities, in scientific institutes of the Polish Academy of Sciences or research institutes operating on the basis of the regulations on research institutes,
- performing work as research workers in the entities referred to in the regulations on research institutes,
- delegated by a foreign employer to the territory of Poland, if they retain the permanent place of residence abroad, for the period not exceeding 3 months in a calendar year, for the purpose of:
  - performing assembly, maintenance or repair works of the delivered technologically complete equipment, structures, machinery or other devices if the foreign employer is the manufacturer thereof,
  - performing acceptance of the ordered equipment, machinery, other devices or parts, made by the Polish entrepreneur,
  - providing training to employees of the Polish employer being the receiver of the equipment, structures, machinery or other devices, as mentioned in letter a, in relation to its operation or use,
  - assembly and disassembly of exhibition stands as well as monitoring them, if the exhibitor is the foreign employer who delegates them for that purpose,
- performing work for the members of the European Parliament in relation to their function,
- empowered in accordance with the principles stated in legal instruments issued by the bodies designated pursuant to the Agreement establishing an Association between the European Economic Community and Turkey, signed in Ankara on 12 September 1963,
- staying in Poland on the basis of a visa issued for humanitarian reasons,

- staying in Poland on the basis of a visa which bears the endorsement "Poland. Business Harbour",
- having the right to practice the profession of a doctor of medicine or dental practitioner, nurse responsible for general care or midwife, or emergency medical technician,
- employed in private domestic staff of a diplomat or consular officer.