

Documents needed:

- a temporary residence permit form,
- copy of a passport (original for visual inspection purposes),
- 4 actual photos,
- proof of payment (340 PLN),
- insurance confirmation,
- guaranteed place of stay in the territory of Poland (lease agreement, registration of residence),
- information about stable and regular income (tax declaration, salary),

documents on economic activity:

- information about the entry into CEiDG or KRS,
- company agreement,
- financial results document,
- tax return for the previous year,
- contracts with employees, their insurance declarations,
- other documents referring to economic activity, e.g. business plan, investment plans and documents on company's financial resources.



Registration of an economic activity

- **natural person:**
entry into the Central Registration and Information of Business (CEiDG) [Centralna Ewidencja i Informacja o Działalności Gospodarczej]
<https://prod.ceidg.gov.pl>
- **legal entities and other:**
registration in the National Court Register (KRS) [Krajowy Rejestr Sądowy]
<https://bip.ms.gov.pl/pl/rejestry-i-ewidencje/krajowy-rejestr-sadowy/>



RULE OF LAW INSTITUTE FOUNDATION

ul. Chopina 14/70, 20-023 Lublin
www.panstwoprawa.org



TEMPORARY RESIDENCE PERMIT ECONOMIC ACTIVITY



Project *Information Center for Foreigners* is co-financed from National Programme of Asylum, Migration and Integration Fund, state budget and Lublin City budget

Safe Harbour

Economic activity – definition:

is a profit-making activity related to manufacturing, construction, trading, provision of services and prospecting, identification and extraction of minerals, as well as professional activity conducted in an organized and continuous fashion.

Characteristics of economic activity:

- a professional conduct–stable character;
- b repeatability of actions taken in connection with economic activity;
- c subordination to rational management rule;
- d share in an economic turnover.

Organizational form:

Foreigners may undertake economic activity on the same basis as Polish citizen if they hold one of the following documents:

- a permanent residence permit;
- a long–term EU–resident permit;
- a refugee status;
- a subsidiary protection;
- a humanitarian or tolerated stay;
- a valid Pole's Card;
- a temporary protection;
- a temporary residence permit on the basis of:
 - studies;
 - family ties (family members of a foreigner who holds a permanent residence permit, long–term EU–resident permit, refugee status or subsidiary protection);
 - stay with the spouse, Polish citizen;
 - continuation of an economic activity registered in CEIDG.

Other foreigners can only conduct an economic activity in Poland ONLY in the following forms:

- Limited liability company,
- Joint-stock company,
- Limited partnership,
- Limited joint-stock company.

In order to obtain a temporary residence permit for the purposes of conducting business activity the following conditions should be fulfilled by a foreigner:

- stable and regular income (monthly income – 635 PLN/per single person or 515 PLN/per each family member),
- health insurance,
- has a guaranteed place of stay in the territory of Poland,
- an entity conducting an economic activity should meet the **following requirements:**
 - or
 - proves it has means to fulfill this criteria in future**
 - proof that income needed will be achieved or employees have job contracts on specified terms.



Income criteria

- the moment of gaining income: the tax year preceding the application submission, for e.g. application for a temporary residence permit submitted in 2017 will be evaluated on the basis of 2016 income;
- minimum income: twelvefold of an average monthly salary in the voivodeship where the headquarter of the company is located or where the foreigner resides, e.g. in 2015:

Lublin voivodeship

$12 \times 3497,98 = 41975,76 \text{ PLN}$

Masovian voivodeship

$12 \times 4801,53 = 57618,36 \text{ PLN}$

Subcarpathian voivodeship

$12 \times 3371,41 = 40456,92 \text{ PLN}$

**since January 1st 2018 criteria will refer to the average monthly salary in certain voivodeship, actual on the day of submission of temporary residence permit application.*

Employment criteria

- min. number of employees: 2;
- work time limit: full time job (average of 40h per week)
- min. period of a contract: 1 year before applying for the residence permit;
- employee profile: Polish citizenship, EU or EEA country citizenship; foreigner holding a: permanent residence permit, long – term EU – resident permit, refugee status, subsidiary protection, humanitarian or tolerated stay.