

2025 Immigration Law Reforms in Poland – Impact on Foreigners

1. Overview of the Reform Timeline and Policy Goals

Poland enacted major immigration law reforms in 2025, with two key phases taking effect on June 1, 2025 and July 1, 2025. The first set – the **Act of 20 March 2025 on conditions for employing foreign nationals** (published as Dziennik Ustaw 2025 poz. 621) – took effect June 1 and overhauled work permit and employment rules. The second set – including an **Act of 24 April 2025 amending the Foreigners Act** (Dz.U. 2025 poz. 619) and an **Act of 4 April 2025 targeting visa system abuses** – became effective in early July 2025 (first day of the month after 14 days from publication). These reforms were driven by Poland’s new migration policy strategy for 2025–2030, adopted under the slogan *“Taking back control. Ensuring security.”* The government’s goals are to tightly regulate migration channels (controlling the purpose and scale of arrivals and countries of origin) while still addressing labor market needs for skilled workers. In practice, the 2025 reforms aim to increase transparency, efficiency and security: speeding up procedures through digitalization, closing loopholes exploited for illegal stay, and aligning Polish law with EU standards (such as the EU Blue Card Directive 2021/1883). At the same time, the changes introduce stricter oversight – a direct response to prior scandals and system abuses (e.g. a 2023 “visa scam” involving fake work visas). Overall, Poland is moving toward a more flexible yet controlled immigration system: one that facilitates bona fide workers and students, but clamps down on fraudulent practices.

2. Mandatory MOS System – End of Paper Applications and the “90-Day Mail” Loophole

A cornerstone of the 2025 reform is the **complete digitalization of residence permit applications** through the MOS platform (**Moduł Obsługi Spraw**, or Case Handling Module). From 2025 onward, all **temporary, permanent, and EU long-term residence** requests **must be submitted electronically via MOS**, with no paper forms accepted. Under the previous system, foreigners often had to apply in person at the voivodeship office or, if appointments were unavailable, mail in their applications via Poczta Polska. (In fact, many exploited a *“last-day mail”* trick: arriving on a 90-day visa-free stay and sending a residence application by postal mail on day 90, which by law made their stay legal until a decision was issued – sometimes a year or more.) This **loophole is now closed**. The new law specifies that applications not filed through MOS will **not be**

processed at all. The online system records the exact submission time, forcing applicants to adhere to legal deadlines without the ambiguity of postmarks.

The MOS platform allows applicants to upload scans of documents and check case status in real time. To submit, one needs a verified electronic signature or trusted profile login for security. **Technical challenges** are anticipated – the idea is to streamline processing, but observers remain skeptical about how smoothly authorities can transition from paper to fully electronic handling. It's important to note that **going digital does not remove in-person requirements**: after e-filing, the foreigner will still be **called in to verify identity, present originals, and give fingerprints** before a residence card is issued. This in-person follow-up must be completed when summoned, or the application can be left unprocessed (similar to previous rules).

For foreigners, the shift to MOS means **better transparency** (instant submission confirmation and status tracking) but also greater responsibility to file correctly and on time. The familiar practice of camping overnight for an office appointment or relying on courier delivery is replaced by an online queue. Applicants should prepare for possible **technical glitches** in MOS's early days and ensure they have or can create the required e-signature or *Profil Zaufany* (trusted profile) to log in. Crucially, the end of the mail-in option means one can no longer “buy time” by mailing an application on the last day of lawful stay – **the application must be electronically submitted before your current visa/permit expires** to extend your legal stay. In short, MOS promises faster, more uniform processing, but it also tightens the system against delay tactics and errors in submission.

3. Labor Market Test Abolishment – From Starosta Opinions to Protected Professions

One of the most consequential changes effective mid-2025 is the **elimination of the labor market test** (the “*opinia starosty*” or starosta's opinion). Previously, many work permit applications required the employer to first obtain a certificate from the local labor office confirming no registered Polish or EU job-seeker was available for the position. This process often took **4–6 weeks** and could even yield a refusal, blocking the hire of a foreign worker. As of June 1, 2025, **Poland has scrapped this requirement entirely**. **Employers no longer need to advertise jobs or obtain any labor office approval** before offering them to a non-EU foreigner, which is expected to significantly speed up hiring.

In place of the general labor test, a “**reverse**” **mechanism is being introduced**: each district (*powiat*) may publish a **list of “protected” occupations** for which work permits

will not be issued to foreigners. In other words, if local economic conditions worsen (e.g. rising unemployment in a certain field), the authorities can **block foreign workers in specific jobs** by adding them to the protected list. Any work permit application for a job on that list must be refused by law. The criteria for listing an occupation include **regional unemployment rates, recent layoffs, labor supply, national security, and migration policy goals.** This approach shifts Poland's policy from case-by-case testing to a broader labor market calibration: **when the economy is strong, no tests at all; if it weakens, targeted restrictions on foreign labor in oversupplied jobs.**

As of mid-2025, the government had not yet published any specific protected occupation lists. In practice, **high-skill and shortage occupations are unlikely to be barred**, whereas low-skill jobs with a surplus of local workers could appear on these lists. For example, if there is high local unemployment among, say, retail cashiers or drivers, a voivode (provincial governor) could, upon the starosta's recommendation, suspend work permits for those roles in that region. On the other hand, roles like IT professionals or **ESL teachers** (English teachers) are in demand and historically reliant on foreigners, so they would presumably not be restricted unless the domestic situation changes. Indeed, the reform explicitly aims to **“facilitate access to work in industries with a shortage of workers, while limiting it in surplus occupations.”** This implies that sectors facing chronic labor shortages (e.g. IT, engineering, healthcare, language education) will benefit from the streamlined process, whereas sectors where local labor is sufficient might see new limits.

For employers and foreign job-seekers, the abolition of the labor market test is largely a **positive development.** It **cuts 4–6 weeks of waiting** and bureaucratic uncertainty out of the hiring timeline. A company can now offer a contract to a non-EU candidate and immediately apply for a work permit, without the previous advertising formalities. For instance, private language schools recruiting native-speaker English teachers no longer need to obtain a starosta certification (which was somewhat perfunctory but time-consuming) – they can proceed straight to the work permit stage, making the onboarding of foreign teachers faster. **However, employers must be mindful** of any future protected professions announcements in their region. If a position is on a district's blocked list, **no foreign hire will be allowed in that role**, except for a few narrow exceptions (the law mentions exceptions for certain long-term Turkish residents under treaty rights, etc.). In summary, Poland shifted from a proactive test to a reactive safeguard: **“no test unless we see a problem, then we freeze certain jobs.”** This should greatly benefit most foreign workers (especially in skilled jobs) by removing red tape, even as it gives authorities a tool to protect local labor in a downturn.

4. Employer Scrutiny – Compliance Checks on Taxes, Contracts, and Working Hours

Alongside liberalizing aspects like removing the labor test, the 2025 reforms imposed **far stricter obligations on employers** who hire foreigners. The new rules aim to ensure that companies employ foreigners for legitimate jobs with proper conditions, and that employers are **fully compliant with tax and social insurance laws**. Key measures include:

- **Financial and regulatory compliance:** A work permit **must be refused** if the employer **has been set up mainly to facilitate foreign immigration** (i.e. a shell company with no real business). It will also be denied if the employer **is not meeting tax or social security obligations** – for example, failing to register employees for ZUS (social insurance) or owing public levies. Authorities will check that the company has the **financial means to fulfill the employment contract** (pay the salary) and is an active, lawful business. In short, only bona fide, law-abiding firms can sponsor foreign workers, and those with unpaid taxes or missing social contributions will be disqualified.
- **Minimum salary and equal treatment:** The law now explicitly requires that a foreign worker's **salary is at least the statutory minimum wage and not lower than that of comparable Polish workers** in the same region/role. This enshrines the principle that foreigners cannot be brought in as cheap labor below market rates. Work permits will be refused if the offered pay is below the minimum or clearly unfair relative to locals. (Note: Poland's minimum wage in 2025 is indexed by month; employers must offer at least that amount scaled to the position's hours.)
- **Restrictions on part-time work permits:** To prevent abuse through token contracts, Poland introduced a **floor on work hours** for permit eligibility. **If a job is less than 1/4 of full-time (i.e. under 10 hours per week), no work permit will be issued at all.** If the job is between 1/4 and 1/2 of full-time (10–20 hours weekly), a permit can be granted **but only with 1-year validity** (instead of the standard up-to 3 years). Only positions at half-time or above can still get the normal 3-year permit duration. This change directly impacts sectors like hospitality or education where foreigners were sometimes hired on very low-hours contracts. Now, an employer must offer at least a quarter FTE to even sponsor a visa, and anything less than half-time means the worker (and employer) will have to renew yearly. Additionally, **newly established companies (operating <12 months)** face the same limitation: their work permits for

foreigners cannot exceed 1 year initially. This is to prove they are stable businesses before getting longer permissions.

- **Obligation to submit contracts:** After a work permit is approved (or a work **declaration** is registered for short-term hires), **the employer must send a copy of the signed employment contract to the authorities**. This must be done **before or at the start of employment**. Previously, there was no such requirement – many employers only presented contracts during an inspection (some would quickly backdate or “fix” contracts if caught without one). Now the voivode or labor office will have the contract on file from the outset, allowing verification that the foreigner is working under the promised conditions (position, salary, hours). **Failure to submit the contract** can result in penalties, and **permits may be revoked** if it’s found that no genuine contract exists or the terms deviate from what was declared. This measure adds an upfront compliance check and makes it harder for unscrupulous employers to sponsor foreigners and then not actually hire or pay them as stated.
- **Mandatory notifications of changes:** The reform significantly **expands the notification duties** of employers (and somewhat, of foreign employees). Employers must inform authorities within **7 days** if a foreigner **does not start work within 2 months of the permit’s start date, or if the foreigner is absent from work for over 2 months, or if the employment ends more than 2 months before the permit’s expiry**. For the simpler work **declarations** (used for short-term seasonal work), the employer must notify the labor office within **7 days of the foreigner actually starting work**, or within **14 days if the foreigner never turns up**. These tight timelines ensure the government knows if a foreign worker is actually in the job and when they leave. Moreover, employers have to report certain job changes for TRC holders: e.g. if a foreigner on a combined residence-work permit changes their job title (but not duties), or if any other significant employment condition changes, the office must be notified within 15 working days. **Changes of address** or increases in work hours must also be reported under the new law. The foreign employee is also obliged to report some changes (the law includes, for Blue Card holders, a requirement to notify if they lose the conditions for the Blue Card or start working in another EU country). These notifications feed into a new **residence monitoring system** (discussed further below in Section 8). Employers who fail to comply can face fines, and a pattern of non-compliance could jeopardize future permit applications.
- **Data retention and inspections:** Employers must now **retain foreign employees’ records for 2 years after employment ends**. This extends the

period during which inspections can audit past hires. The State Labour Inspectorate and Border Guard were granted powers to conduct **joint, unannounced inspections** specifically targeting illegal employment of foreigners. The law also enumerates new grounds to **deny permits if in the past 2 years the employer obstructed an inspection** related to foreign labor. In short, a company with a history of stonewalling inspectors or found falsifying documents can be blacklisted from hiring foreigners for two years. Sanctions for violations have been **heightened** across the board (detailed in Section 11 on enforcement).

For genuine, law-abiding employers, these rules mainly mean **more paperwork and diligence**. Companies must budget time to file notifications (e.g. when a foreign worker leaves) and set up internal processes to ensure every foreign hire's contract is promptly sent to the voivode. Many businesses are now using online platforms integrated with the government's praca.gov.pl portal to handle these filings. The increased scrutiny should deter abuse such as foreigners being brought in by fake firms or employed on exploitative terms. **Reputable employers benefit** because the playing field is leveled – those who might undercut wages or skip taxes can be weeded out, and work permits will be prioritized for companies of “significant importance to the Polish economy” and those hiring in shortage occupations. For foreign workers, the upside is better protection (legal work contracts, proper wages, and insurance are mandated), but the downside is fewer casual or part-time opportunities. For example, an English tutor who in the past might cobble together 3 different small contracts would now need at least one employer to sponsor a proper part-time job of 10+ hours/week. The reforms signal that Poland wants foreign labor to be **formal, stable, and on-the-books**, not informal gigs or shady arrangements.

5. Education Sector Regulation – Clamping Down on Visa Mills and Monitoring Students

The 2025 amendments place **special focus on foreign student visas and educational institutions**, in order to curb abuses of the student immigration pathway. Poland discovered that many foreigners were using **enrollment in Polish schools (especially private colleges and language schools) to obtain visas**, without serious intent to study. In response, a series of measures now tighten the admission criteria, oversight, and accountability of educational institutions that host international students:

- **Language proficiency requirement:** Any non-EU foreigner applying for a national visa to study in Poland must now prove at least **B2-level**

proficiency in the language of instruction for their program. This applies typically to English (for programs taught in English) or Polish (for programs taught in Polish). At the time of university admission, the **rector is obliged to verify and collect documentation** of the student's language ability (e.g. a B2 certificate or a passed language exam). Consular officers will check that this evidence is provided in the visa application. This is a dramatic change from earlier practices, where some institutions admitted foreign students with minimal language skills. The new rule ensures that those coming to study can actually participate in coursework, and it deters bogus enrollments by individuals who cannot speak the language at all. In addition to language, **proof of academic qualifications or entry exams** is now required: if the program normally requires an entrance test or interview, the foreign applicant must show they have passed it as a condition for the visa. Essentially, **foreign students must meet the same entry standards as locals (including language and exams) before getting a student visa**, closing a loophole where some colleges accepted under-qualified foreigners purely for tuition fees.

- **Immediate reporting of no-shows:** Universities and colleges now have a duty to **notify authorities if a foreigner granted a student visa fails to commence studies**. Specifically, the rector of the school must “**immediately inform in writing the consul who issued the visa**” that the student did not show up or register by the start of the semester. This notification likely triggers the **cancellation of the visa**. Previously, a person could obtain a visa for study and then never actually attend classes (sometimes disappearing into illegal work or moving on to Western Europe). Now, if a student doesn't appear at the university, the Polish authorities will know and can invalidate their visa, preventing misuse of the student pretext.
- **Cap on foreign student enrollment:** A notable new rule is a **limit of 50% foreign students at any given university**. By law, the number of foreign nationals studying in a given academic year cannot exceed 50% of the total student body of that institution. If an institution is already over 50%, it **will not be allowed to enroll additional foreigners** until the ratio falls below 50%. This provision is directly aimed at “**visa-mill**” **schools** that sprang up with mostly overseas students. Some private colleges in Poland had 80–90% foreign enrollment, indicating they catered almost exclusively to visa-seekers. Under the new cap, those schools will have to either recruit more local students or pause foreign admissions. This rule also protects against the scenario of a weak institution staying financially afloat solely by importing students. Public universities likely won't be affected (they typically have a vast majority of Polish

students), but many small vocational schools and language institutes will. The policy goal is to **ensure integration and quality** – a healthy mix of domestic students, and to prevent entire “ghost colleges” of foreigners.

- **National student register and data sharing:** The law mandates the creation of a **central registry of foreign students and doctoral candidates** in Poland. Universities must input each admitted foreign student’s key data: name, passport/PESEL number, nationality, date of birth, the dates of admission and removal from the student list, etc., as well as whether they hold a Pole’s Card (Karta Polaka). This registry will be accessible to consular and immigration authorities. It means the government can track a foreign student’s academic status in real time – if someone drops out or is expelled, it will be recorded. Moreover, a 2025 legal change gave **Polish consuls new powers akin to the Office for Foreigners to access immigration databases** and verify information for issuing, refusing, or cancelling visas. A consul evaluating a student visa application can thus see if the applicant perhaps was previously in Poland and was removed from a student register for non-attendance, or if a particular school has a suspicious record. This **interconnection of systems** is intended to *“ensure that information collected in visa procedures and stay legalization can be automatically verified”* between offices. It brings a new level of scrutiny: for example, if a student tries to bounce from one school to another after failing out, the consulate will know their history.
- **Higher standards for educational institutions:** The reforms crack down on institutions that **primarily target foreign students without delivering real education**. The law now states that a premise for **refusal of a student visa or residence permit** is if *“the entity conducting the studies operates mainly for the purpose of facilitating illegal entry or stay of foreigners, particularly if it offers educational services exclusively for foreigners.”*. In other words, if a “college” exists almost entirely to enroll foreigners (with programs only in English, no Polish students, and little academic rigor), it can be deemed a sham and visas for that school can be denied. Likewise, a temporary residence permit for studies can be refused or revoked on the same ground. To enforce this, **additional criteria for schools are being set**. For instance, **schools must conduct proper recruitment** – presumably meaning verifying applicants’ credentials and language as above – and **must report if a foreign student is removed from the student roster (exmatriculated)** to the province office that issued the residence permit. There is also a requirement that for **paid studies, the student must pre-pay the tuition for the first semester or year** and show proof before a temporary residence permit for study will be granted. This prevents the

situation of someone getting a student TRC without actually intending to pay or attend (they must have skin in the game via tuition payment).

These measures represent a significant “clean-up” of the education visa sector.

Legitimate foreign students are still welcome – Poland has many real international students, and they benefit from the new clarity (for example, knowing they need a B2 language cert encourages them to prepare accordingly). Students should be aware that they **must stay enrolled and attend classes**; if they drop out, the school and authorities will take notice, jeopardizing their status. From now on, a foreign student in Poland truly needs to be a student, not just a visa holder. **Language schools** in particular will face scrutiny. Many foreigners came on visas to attend Polish language courses or other short programs as a pretext. Now, not only is B2 Polish required to get into a Polish-taught course (making a visa to “learn Polish from scratch” impossible), but also any institution offering only short courses to foreigners could be flagged as operating “solely to facilitate stay”. We can expect that only accredited, reputable educational providers will be allowed to sponsor student visas. The Ministry of Education and Science, along with the *Narodowa Agencja Wymiany Akademickiej* (NAWA), will also play a role – NAWA’s mandate has been expanded to help verify foreign academic credentials for admission to Polish universities (e.g. confirming that an applicant’s high school diploma from abroad qualifies them for a Bachelor’s program).

In summary, Poland is moving from a laissez-faire approach on foreign students to a highly monitored one. **Foreigners must now treat a Polish student visa as a serious commitment** – they need adequate language skills, genuine academic intent, and must actually study. The days of easy student visas as a backdoor to work are ending. For the education sector, the reforms are a double-edged sword: they bolster the integrity and reputation of Polish institutions (only earnest students will enroll, presumably improving success rates), but they also may reduce the number of fee-paying international students in the short term. Reputable universities will adapt (many already require B2 English for admission), whereas sub-par colleges that cannot attract Polish students or meet the new standards may be forced out of the market. Overall, these changes protect the “**integrity of Poland’s education system**” and ensure student visas serve their proper purpose.

6. Requirements for English Teachers and TEFL Holders – Qualifications and Work Permit Impacts

Teaching English as a foreign language (TEFL) in Poland remains a popular job for expatriates, and the 2025 reforms indirectly affect this sector. **Legally, Poland did not**

introduce a new specific certification requirement for foreign language teachers – there is no statute that says “you must have X certificate to get a work permit as an English teacher.” However, the combination of labor law changes and the government’s emphasis on genuine qualifications means that **employers and visa officers will scrutinize teacher credentials more than before**. In practice, to be hired as an ESL teacher in Poland’s private schools or language centers, **one is expected to have at minimum a TEFL/TESOL certification (120 hours) and a bachelor’s degree**. The industry standard is **120 hours of training** (in a course accredited by an internationally recognized body) because Polish employers know that is the baseline most reputable programs require. For example, The TEFL Org notes: *“To teach English in Poland, you’ll usually need a TEFL certificate (at least 120 hours) and a bachelor’s degree in any field.”*

Among TEFL certificates, the **Cambridge CELTA** (Certificate in English Language Teaching to Adults) and **Trinity CertTESOL** are highly regarded. The CELTA in particular is a gold-standard credential – it’s often said to be *“the TEFL qualification that employers around the world ask for.”* Holding a CELTA or equivalent can significantly strengthen a work permit or visa application for teaching, because it demonstrates the teacher has undergone rigorous training (including observed teaching practice). Polish visa officers assessing a work visa for an “English teacher” may not demand to see the certificate by law, but if provided, it validates that the applicant is a bona fide teacher and not someone using a fake job to enter Poland. Notably, some voivodeships in Poland have in the past **waived the labor market test for native speaker language teachers**, recognizing that a native English speaker with TEFL qualifications is by definition filling a niche skill (this was a policy rather than a law). With the labor test now abolished entirely, hiring a qualified foreign English teacher has become administratively simpler. Language schools no longer need to demonstrate that “no Pole can teach English” – which was somewhat obvious when seeking a native speaker – so **the process is faster** and focused only on the foreigner’s own credentials.

Impact of new work hour rules: A significant change affecting many foreign teachers is the minimum hours requirement for work permits (see Section 4). Language schools commonly employed foreigners on part-time contracts, sometimes very low hours (e.g. 8 hours/week) especially if the teacher was teaching at multiple schools. Now, **any contract under 1/4 time (less than ~10 hours/week) will not qualify for a work permit at all**, and a 10–20 hour/week contract will only yield a 1-year permit. This pushes schools to consolidate teaching hours. We may see schools offering slightly larger contracts to ensure at least quarter-time employment for foreign teachers. If a teacher wants to work at multiple schools, each school must sponsor a separate work permit (Poland ties permits to a single employer and job). Under the new regime, the

teacher will need at least one of those employers to give them a substantial schedule. **One practical solution** some are adopting is to have one language school hire the teacher full-time (or half-time) and then “lend” or subcontract them to other schools for classes – however, this must be done carefully, because working “for the benefit of a third party” who is not the formal employer is also restricted now (only allowed if the employer is a licensed temporary work agency). The bottom line is that foreign teachers should seek more stable, ideally benefitted positions rather than a patchwork of freelance gigs.

TEFL accreditation and recognition: From a regulatory standpoint, Poland recognizes foreign degrees and certificates through a process called nostrification, but reputable TEFL certificates (like CELTA, Trinity) usually don't require nostrification – they are private qualifications. Employers, however, will prefer accredited certifications (accrediting bodies include Cambridge English for CELTA, Trinity College London for TESOL, or globally recognized TEFL course providers). When applying for jobs, having one of these **internationally recognized TEFL certifications is almost mandatory in the competitive market**. Many job adverts in Poland explicitly state the requirement. For example, a program hiring in Poland might list: *“Professional ESL teaching qualifications: CELTA, Trinity TESOL, or a recognized 120-hour TEFL certificate”*. Additionally, if one aims to teach in the **public school system or universities**, a higher qualification (such as a relevant degree in education or linguistics) plus a Polish teaching license equivalence may be needed. The 2025 reforms did not specifically alter the path for foreign educators in public schools – those hires remain rare and subject to Ministry of Education approval on a case-by-case basis.

In summary, **foreign English teachers in Poland should ensure they hold proper qualifications** as these are increasingly vital for both obtaining the position and passing immigration hurdles. The Polish government's crackdown on fraudulent employment means if, say, a small school with no reputation tried to sponsor a “teacher” who has no degree and no TEFL certification, it might face skepticism or refusal (the case could be seen as a sham). On the other hand, established institutions hiring legitimately qualified native speakers will find the new system easier – no labor test delay, streamlined online applications, and the ability to secure 1–3 year permits for their teachers as long as they comply with the new wage and hour rules. **TEFL holders** should also note they can increase their attractiveness by obtaining specialized add-ons like a **Business English teaching certificate or a Young Learners certificate**, since many Polish students seek business English or other specific training. The reforms, by weeding out low-quality operators, could actually improve conditions and demand for well-qualified foreign teachers, reinforcing Poland's status as a growing TEFL destination (with relatively low cost of living and strong interest in English study).

7. Student Rights – Work, Entrepreneurship, and New Limitations for Foreign Students

International students in Poland traditionally enjoyed fairly generous rights, including the **ability to work during studies without a work permit**. Under previous regulations, foreign students enrolled in full-time studies (day programs) at Polish universities were **exempt from needing a work permit for any employment** – they could work freely, even full-time, year-round (this was in contrast to some countries that limit student working hours). However, the 2025 reform package brings a shift: **Poland is tightening the work rights of students to prevent abuse**. The Ministry of Labor has indicated it will **repeal the regulation that allowed full-time international students to work without a permit**. This means that going forward, **foreign students may be required to obtain a work permit to undertake employment**, unless a separate exemption is legislated.

It's important to clarify that as of mid-2025, the law distinguishes between different categories of students and visas. According to one reform (effective June 2025), **holders of certain temporary visas can no longer work at all**, even if they have a permit. Specifically, foreigners in Poland on a **visa for non-degree studies, on a visa for an internship or training, on a family visit visa, on a medical treatment visa, or those staying visa-free** are **now barred from working** (previously some of these could work if an employer got a permit). The reference to “study (non-degree) visas” suggests that if someone comes for, say, a short language course or a vocational diploma (not leading to an academic degree), they are not allowed to work during that stay. For **full-degree university students**, the situation is evolving: the intent of the new law is clearly to **stop the automatic work access** that was being misused by faux-students who came mainly to work. It is likely that once the old regulation is formally revoked, **all foreign students (except EU citizens) will need to have a work permit for employment in Poland**, unless a new law or policy carves out limited hours. There is a possibility authorities may reintroduce a partial allowance (for instance, some countries let students work 20 hours/week without permit). But so far, the direction is stricter: the government explicitly noted that many came on student visas *“because these visas enable access to the Polish labor market”*, and they intend to close that avenue.

What does this mean for a foreign student currently studying in Poland? **If you are enrolled in a university program**, you should check the latest regulations – as of mid-2025, you can still work without a permit until the legal change is finalized, but be prepared that soon you might need your employer to sponsor a work permit. If you plan

to take up a job, your employer should apply for a work permit type dedicated to students or part-timers (there isn't a special category, it would be a normal Type A permit). The elimination of the free-work privilege has pros and cons: it may protect genuine students from overworking and neglecting studies, but it also adds bureaucracy for those who *need* to work to support themselves. Notably, this change aligns Poland more with EU norms – many EU countries require non-EU students to get a work authorization or limit their hours. Poland had been an outlier offering unlimited work without formalities. Now it's converging to a controlled model.

Regarding **entrepreneurship**, foreign students have limited options to start businesses under Polish law. Non-EU foreigners generally **cannot operate a sole proprietorship (self-employed business) unless they have a long-term residence or certain family ties**. This rule remains unchanged and was even reinforced in 2025: the **Entrepreneurs Law was amended to explicitly bar individuals who are not EU/EEA citizens and who lack a permanent or long-term residence permit from engaging in economic activity as sole traders**. In practical terms, a student on a temporary residence card (TRC) for studies **cannot simply register a one-person business (działalność gospodarcza)**. They **can**, however, be a shareholder or co-founder of a company (for instance, they can start an **Sp. z o.o.** – limited liability company – since Polish law allows anyone to own a company). They can also be on the management board of a company. But if they perform work for that company (beyond just holding shares), they would need a work permit for the role of managing their own company (unless they later obtain a residence permit for business).

Poland has in recent years promoted **business incubators and startup platforms** as a way to attract entrepreneurs, including foreign graduates. One avenue was that foreign students upon graduation, or even during studies, could join a recognized incubator which would effectively sponsor their **temporary residence permit for business activity**. Incubators like “**Startup Hub Poland**” or others offered to support a foreigner's business idea and help them get a residence card. **As of 2025, incubator-based residence permits are still available**, but under stricter scrutiny. The law explicitly warns against entities that “*operate mainly to facilitate illegal stay*” – an incubator that signs up foreigners who have no real startup just to let them remain in Poland could fall afoul of this. Additionally, while Poland does not yet have a special “Startup Visa,” the Foreigners Act provides a residence permit for running a business, which requires proving that the business is or will be of benefit to the Polish economy (measured through criteria like investment, revenues, or job creation). In practice, many initial business permits are given for one year to try the idea, but **extensions are granted only if the business meets certain thresholds** (e.g. earning at least 12 times the average monthly wage in annual revenue, or employing at least 2 Polish full-time

employees for a year) – these conditions existed pre-2025 and remain in force. So a student who wants to transition to an entrepreneur must be prepared to **generate tangible results within the first year** to extend their stay.

Importantly, the reforms **restrict in-country change of status** in some cases. Previously, a student in Poland could finish studies and then apply for a work or business residence permit from within Poland (or even drop studies and switch). Now, new rules **limit the ability to switch status if you entered on certain visas**. The law explicitly **prohibits filing a residence permit application for work or business if the foreigner is residing in Poland on the basis of a visa issued by another Schengen state, or on a Polish visa issued for purposes such as tourism, temporary protection, humanitarian reasons, or others not intended for work**. Notably, a **national visa issued “for the purpose of studies” is mentioned among those** that do not confer the right to apply for a work permit-based TRC in-country. This suggests that if a foreigner came to Poland on a student visa and then decided to quit school and apply for a work residence permit, the office would **refuse to accept the application** – that individual would have to leave and apply from abroad for a work visa. The intent is to **stop people from coming as “students” only to immediately abandon studies and switch to work**. For genuine students who graduate and get a job offer, the solution will likely be to either apply while still on a valid residence (perhaps the law will allow graduates to apply in Poland – Poland has offered a 9-month post-graduation job-seeking permit in the past), or to go home and apply for a work visa then return. We will need to see how strictly this is enforced for graduates; the wording is broad that a holder of a visa for studies cannot apply for a temporary stay for work. It may push more foreign alumni to utilize the EU Blue Card route (which can be applied for from within Poland under EU law, as it’s a different legal basis – though Poland might still require an entry visa).

For **foreign students who wish to start a startup** – Poland still encourages this, but the path will be: after or near graduation, find an incubator or start a company, then apply for a **temporary residence for business**. You might not be able to do that directly from a student visa; you might have to briefly exit and re-enter on a business visa (or possibly the law will exempt those changing to business, unclear). In any case, the business plan will be scrutinized, and after a year the **foreign entrepreneur must show progress (revenue, investments, or job creation)** to continue the stay. There is also an option for foreign graduates of Polish universities: they have **free access to the labor market** (no permit needed) once they finish studies – notably, this provision (if not revoked) means employers can hire a recent Polish uni grad without a permit. The government has actually codified that *university graduates in Poland are exempt from needing a work permit*. This can be a big advantage to segue into entrepreneurship: a

graduate could work for some time without a permit while planning their startup, then launch their business.

In conclusion, foreign students in Poland face a trade-off in 2025: **fewer immediate work opportunities but a more structured, secure environment for study and post-study transition**. If you are a student, focus on your studies – you likely can no longer rely on a full-time job to support you unless you go through the permit process. If you need to work, find an employer willing to do a work permit (which is easier now in terms of process, but they must pay at least minimum wage etc.). If you have entrepreneurial ambitions, take advantage of university careers offices or incubator programs aimed at foreigners (some incubators are adapting to meet the new regulations and still help talented international graduates start companies in Poland). Poland clearly wants to keep the *best and brightest* foreign students (hence the easier work permit for graduates and the Blue Card improvements), while filtering out those who aren't serious about studying. As a student, knowing this context, it's wise to maintain full compliance with your student obligations and seek proper channels for any work or business activity to remain on the right side of the law.

8. Residence Verification System – Tracking and Enforcement via Data Integration

A major theme of the 2025 reforms is **improved tracking of foreigners' residency status through interconnected databases and information-sharing**. Poland is enhancing its ability to **verify whether a foreign national is actually fulfilling the purpose of their stay and to detect those who fall out of status**. Several initiatives contribute to this “residence verification system”:

- **Integrated digital systems:** In line with EU developments, Poland is digitalizing records and linking immigration systems. The government's strategy explicitly calls for *“harmonising the systems for issuing visas and legalising stay to reduce bureaucracy and ensure automatically verifiable information.”*. What this means in practice is that the **visa-issuing system (at consulates) and the domestic residence permit system will share data**. An example already implemented: Polish **consuls now have access to the national Foreigners' Register** (which is maintained by the Office for Foreigners and contains data on all applications, permits, etc.). As of 2025, the law grants consular officers similar authority as Polish immigration offices to query various databases for information necessary to decide on issuing, refusing, or cancelling a visa. This is significant – if someone applies for a visa, the consul can see if they previously overstayed in

Poland, or already hold a residence permit, or perhaps were ordered to leave. It prevents people from “forum shopping” or hiding prior infractions by switching application channels.

- **EU Entry/Exit System (EES):** Although not directly legislated by Poland (it’s an EU project), it’s worth noting that the **EU Entry/Exit System** is expected to come into operation around 2025. This system will **electronically record the entry and exit of all third-country nationals at Schengen borders**, replacing passport stamps. Poland, as part of Schengen, will use EES at its external borders (airports, ports). This means that every time a non-EU national enters or leaves, it’s logged in a database accessible by all member states. Overstays will be automatically flagged. For Polish residence permit holders, this provides a clear picture of absences – e.g., if a temporary resident leaves Poland for too long, it could affect their permit (certain permits can be revoked if the person is absent from Poland for an extended period, especially if it suggests they’ve relocated). The Polish Border Guard can also instantly verify if a person coming in on a visa-free entry perhaps has a pending Polish residence application (previously, one relied on showing a stamp in the passport – now it’s all digital). The **interconnection with EU systems** like EES and also ETIAS (the upcoming travel authorization for visa-free visitors) means Polish authorities have more data on who is in the country and why.
- **Notifications feeding verification:** As described in Section 4, the new employer and university notifications (about foreigner not starting work, or student not attending, etc.) funnel information into immigration databases in real time. If a foreigner holding a Temporary Residence Card (TRC) for work **loses their job and the employer reports it**, the Office for Foreigners is alerted. They can then cross-check if that person has taken up a new job or not. If not, **the office may initiate proceedings to cancel the residence permit due to cessation of purpose** (losing the job that was the basis). Previously, in the absence of such notifications, a foreigner could sometimes quietly stay until their card expired, without the office knowing they weren’t employed. Now it’s much harder to “fly under the radar.” Similarly, universities reporting dropouts means the **voivode can move to cancel a student’s residence permit if they are no longer studying**.
- **Synergy between border control and immigration offices:** The Straż Graniczna (Border Guard), which in Poland also functions as an immigration enforcement body, has been given expanded powers and resources. The reforms allow **joint inspections by Border Guard and labor inspectors** to

check job sites for illegal workers. The Border Guard also now can easily verify a foreigner's status via the centralized systems. For example, if during a routine check someone presents a temporary residence card but the system shows their employer reported termination 3 months ago and no new permit was issued, the Border Guard can investigate that person for illegal stay/employment. In effect, **non-working TRC holders are on a shorter leash**. The law even addressed a scenario of foreigners who try to work remotely for overseas companies while in Poland on a tourist visa: it clarified that **“occasional, incidental remote work... unrelated to the Polish economy” is allowed without a permit, but regular remote work from Poland is not covered**. This kind of fine-tuning indicates the authorities are keen to track and regulate any economic activity by foreigners on Polish soil.

- **“Passport stamp” replaced by digital certificate:** When a foreigner submits a residence permit application via MOS now, they won't get a physical stamp in their passport (as was done previously to note that an application was filed). Instead, they receive a **confirmation certificate** in the system. This certificate serves as proof of legal stay during the application processing. Border control and other agencies can access this info digitally to know that someone's stay is legalized even if their visa expired. This reduces the possibility of forging or misusing stamps, and it also means if an application is withdrawn or denied, the certificate is invalidated in the system immediately – law enforcement will know the person is no longer legal. All these steps make the **status of each foreign national more transparent** to authorities at any moment.
- **Residence card verification and EU databases:** Poland is connected to EU-wide databases such as the Schengen Information System (SIS), where alerts about overstayers or lost/stolen permits can be placed. With the new laws, Poland can better feed information into SIS – for example, if a residence permit is revoked, an alert can ensure the person is flagged if they attempt to enter any Schengen country. Also, implementing Directive 2021/1883 (Blue Card) means Poland must report into the EU systems when a Blue Card holder moves between states. The **short-term mobility** of Blue Card holders (up to 90 days work in other states) will be tracked so that each country knows the cumulative time. In general, EU-wide enforcement is tightening, and Poland is fully on board with that trend.

For foreign residents, what are the practical implications of this “big brother” approach? It means **you must keep your records up to date and follow the rules closely**. Always register your address (it's required within 4 days of settling, and that helps

officials locate you if needed). If you change jobs or stop studying, be proactive – either leave or apply for a new permit if eligible; don't assume you can coast until your card expires. The authorities can now relatively easily figure out if a person with a residence card is “inactive” or violating terms. We have already seen cases in 2025 of permits being revoked for people who, for instance, obtained a work permit for one employer but were discovered working elsewhere under the table – with data sharing, such violations come to light faster. Another tip: if you're a **non-EU national exiting Poland/Schengen for good, turn in your residence card** to the border officer or voivode's office – this can ensure you are properly recorded as having left, which might help avoid misunderstandings if you apply for a visa in future (the systems will log that you departed in a timely manner). The days of porous tracking are ending; Poland is essentially following the mantra *“no foreigner left unaccounted.”*

On the positive side, these measures will enhance **security and fairness**. Law-abiding foreigners shouldn't feel targeted – rather, they benefit from a system that will, for example, identify and remove those who work illegally (which undercuts wages) or misuse visas (which contributes to skepticism towards genuine applicants). **EU interoperability** means a smoother experience too: you won't have to carry as many documents because officials can see your status on their screen. For instance, airport immigration will know you applied to extend your stay even if your visa in the passport is expired, because the certificate is in the system. We can expect **faster border crossings** for those with properly documented status and more hassle for those without.

In conclusion, Poland's residence verification enhancements in 2025 create a more **data-driven, connected immigration enforcement regime**. Non-EU residents should assume that “the system knows” their situation, and act accordingly. By staying in compliance and communicating with authorities (e.g. responding to any official notices promptly), foreign residents can avoid problems. But any thought of “vanishing” inside Poland after a visa expires or working on the side unseen is now very likely to end in discovery, as Poland is effectively implementing a “**digital watchdog**” over foreign nationals' stay.

9. EU Blue Card Reform – Easier Qualifications, Mobility, Business Rights, and Family Reunion

Poland's reforms in 2025 also encompass the **EU Blue Card**, a residence permit for highly-skilled non-EU workers. Poland transposed the new EU Blue Card Directive (EU)

2021/1883, bringing several improvements that make the Blue Card more accessible and attractive to talent. The changes include:

- **Broader qualification criteria:** The definition of *“high professional qualifications”* for a Blue Card has been expanded beyond just having a university degree. **Professional experience can now substitute for formal education.** In line with the Directive, Poland will accept **at least 3 years of relevant work experience (within the last 7 years) as equivalent to a higher education diploma** for Blue Card eligibility, in professions that are considered high-skilled. This is especially important for IT specialists, engineers, or other experts who may not hold a degree but have rich experience. For instance, an experienced software developer without a computer science degree can qualify for a Blue Card by proving 5 years of experience (the exact required duration depends on whether it's a shortage occupation – Directive allows 3 years for shortage fields, 5 years otherwise). This change aligns Poland with the new EU standard and opens the Blue Card to a wider pool of candidates who have skills but not formal diplomas.
- **Salary threshold adjustments:** While specific numbers are set by national law, the new Directive allows lower salary thresholds for Blue Cards. Poland is expected to **lower the income requirement** (previously 150% of the average wage). Though the exact threshold in 2025 wasn't published at the time of writing, officials indicated thresholds will be “lowered” or made more flexible (possibly around 120–135% of average wage, and even 100% for certain shortage occupations). This makes it easier for sectors like IT, finance, or science to bring in skilled workers at a salary level that is still high but not exorbitant. **Eligible industries** are essentially any with high-skilled jobs (Blue Card isn't restricted by industry as long as the job meets qualification and salary criteria), but Poland may maintain a list of shortage occupations with a further reduced threshold.
- **Simplified process and fast-track:** The reforms aim to **speed up Blue Card processing**, with a target of 60 days decision time (as per EU rules) and Poland might even introduce a 30-day fast-track for certified employers. Moreover, changing employers on a Blue Card is simplified: instead of having to apply for a brand new permit when you switch jobs, now a Blue Card holder **only needs to notify the authorities of a change of employer or role, rather than reapply**. The new law requires Blue Card holders to report to the voivode if they change employer, if they no longer meet Blue Card conditions (e.g. salary falls below threshold or they become unemployed), or if they intend to use the mobility to

another country. But **they do not lose their status immediately upon a change** – they have a grace period (EU Directive says up to 3 months of unemployment allowed). This flexibility encourages career growth and mobility.

- **Business activity rights:** Perhaps one of the most notable Polish-specific changes: **EU Blue Card holders in Poland are now granted the right to pursue self-employment or establish a business on the same terms as Polish citizens.** Under previous rules, Blue Card holders (like most temporary residents) were somewhat restricted in starting a sole proprietorship – they would have needed to meet the usual foreigner criteria. Now, the law explicitly lifts those restrictions for Blue Carders. So if you have a Polish Blue Card, you can register as an entrepreneur (CEIDG sole trader) or become a partner in a partnership, etc., without needing another residence basis. This is a huge advantage for highly-skilled workers who might want to do consulting on the side or prepare to launch a startup, etc. It essentially treats Blue Card holders like nationals in terms of economic freedoms. (It's worth noting the EU directive mandated allowing supplementary self-employed activities alongside the main employment – Poland appears to fully embrace that.)
- **Short-term mobility within the EU:** Blue Card holders from one EU country can now **work in another member state for up to 90 days in any 180-day period without needing a separate work permit.** For example, if you have a German Blue Card and your company sends you to Poland for a 3-month project, you can work in Poland on your German Blue Card (just a notification might be required). Poland will implement this by not requiring work permits for those cases and by **recognizing other states' Blue Cards for short stays.** This enhances intra-EU mobility for the highly skilled. There's also a **long-term mobility** mechanism: if a Blue Card holder wants to relocate to another country permanently, the process is streamlined – after 12 months in the first country, they can move and apply in the second country while working, without waiting for a permit beforehand. Poland has updated its law to accommodate these mobility rules (e.g. issuing a certificate for those 90-day work periods, and processing incoming Blue Card transfers more easily). Additionally, **time spent on a Blue Card in different EU countries will count together towards the 5-year requirement for an EU long-term residence** permit. So a Blue Card holder who did 2 years in Germany and 3 years in Poland can aggregate that to qualify for a long-term EU resident status (which gives permanent residence rights).
- **Family reunification and rights:** Family members of Blue Card holders already benefited from faster reunification (no 18-month waiting period as sometimes for

other work visas). The new rules further **simplify and speed up family reunification**. Poland will likely process family member residence permits in parallel or within 90 days. The Directive also introduced a special “**remote work**” allowance for family: if a Blue Card holder uses mobility to another country, their family can join without needing separate visas right away. Poland’s law explicitly mentions a “*special family reunification procedure for family of Blue Card holders under mobility*”. This ensures families aren’t left behind if the Blue Card professional moves around Europe. Furthermore, spouses of Blue Card holders in Poland continue to have open access to the labor market (they can work without a permit) – that was already the case and remains so.

- **Lower barriers for IT and other sectors:** Poland has signaled particular interest in attracting IT specialists and engineers via Blue Card by potentially using the *shortage occupation* provisions. Under the Directive, Member States can publish a list of sectors with high demand and set the salary threshold at **100% of average wage** for those (instead of the standard $\sim \geq 1.5 \times$ average). Poland’s Ministry of Labor is empowered to issue such a list (e.g. for IT, medical doctors, etc.). If and when they do, it would dramatically lower the salary needed for a Blue Card in those fields, making many more candidates eligible.

In practice, these Blue Card changes mean that a highly-skilled foreigner has **two strong options in Poland**: the traditional work permit (now easier due to no labor test, but still tied to one job and employer), or the Blue Card (which requires a higher salary and qualifications, but offers more benefits and flexibility). With the 2025 reforms, the **Blue Card route becomes clearly more attractive for those who qualify**. For example, consider an experienced software developer from India: Previously, if they didn’t have a master’s degree, they couldn’t get a Blue Card; they might get a normal work permit and be somewhat limited (no business on side, tied to employer). Now, with say 5 years experience, they can get a Blue Card, and **enjoy freedom to freelance on the side, switch jobs with just a notification, and have their spouse work freely**. They also get a quicker path to long-term EU residence by combining years across countries.

From a bureaucratic standpoint, **Poland’s Office for Foreigners is training caseworkers on the new Blue Card criteria** and hopes to reduce processing times. EU law now caps Blue Card processing at 90 days. Poland has also introduced **priority processing for shortage occupations and continuing employment** (so if a Blue Card holder just extends with the same employer, it should be very fast).

Finally, the **rights of Blue Card holders** within Poland are now on par with or better than national permit holders. They can do almost everything a permanent resident can

except vote. Notably, a Blue Card holder can now start a one-person business (previously off-limits), and can perform contract work. If a Blue Card holder loses their job, Poland must allow them **at least 3 months to seek new employment** (the Directive says 3 months, Poland could allow up to 6). They just have to notify the voivode that they are looking for new work. This provides a safety net that normal work permit holders don't have – normally losing a job would invalidate a temporary residence pretty quickly.

To sum up, Poland's implementation of the **Blue Card reform (Directive 2021/1883)** **greatly enhances the program**. **Eligible industries** are broad – any job that requires high skills and meets the salary threshold qualifies, and Poland will make it easier especially in fields where Poland needs talent. **Using experience instead of degrees** will open the door for many IT professionals, senior technicians, etc., who are self-taught or trained on the job. The **application process** is becoming more user-friendly with faster decisions and no labor market test (since that's gone for all). Blue Card holders gain **business rights** equal to locals (so they can fully participate in the economy, even as entrepreneurs). And **family reunification** is smoother and immediate for spouse and children. For any highly-skilled foreigner considering Poland, the message in 2025 is: *the Blue Card is now the way to go* – it's a stable, EU-wide status with flexibility, and Poland is welcoming Blue Card applicants by loosening the requirements and offering more benefits.

10. Business Incubators – Changes in 2025 for Startup Residence Permits

Poland has, for several years, offered innovative programs allowing foreign entrepreneurs to base themselves in Poland via **business incubators** or startup platforms. These programs fall under the “temporary residence for business activity” provisions of the law. In 2025, while there wasn't a brand-new “startup visa” law, the existing framework was refined and somewhat tightened to ensure it's not abused. Here's what changed or stayed the same regarding **incubators and business visas**:

- **No dedicated startup visa (status quo)**: Poland still does not have a special visa type exclusively for startup founders (unlike some countries). Foreign entrepreneurs usually either **establish a company and apply for a temporary residence permit for business**, or they join an **official incubator/accelerator which can facilitate their residence application**. The Office for Foreigners confirms that *“Polish migration law does not provide a special residence permit dedicated to startup owners”*; instead, one uses the general business residence

permit route. The 2025 amendments did not introduce a separate category, so this remains the case.

- **Stricter eligibility and oversight:** The new law includes language to prevent the **misuse of business residency by sham businesses**. Authorities can now deny a business residence application if the venture seems not genuinely economic but rather aimed at extending stay. Specifically, the amendment to the Entrepreneurs Law **forbids certain foreigners from conducting sole proprietor business** – namely those who are not from the EU and don't hold a qualifying residence status. Practically, this reiterates that a person on a short-term status (tourist, student, etc.) cannot simply register a sole trader business. They must obtain a temporary residence for business first, or have a long-term residence. It's a "catch-22" for some: to get a business residence, you need a business plan and often a company; but to formally run a business (as a sole trader) you need the residence. Most solve this by creating a **limited company (Sp. z o.o.)**, which any foreigner can do, and then applying for residence as its owner/executive.
- **Transition from tourist/student to business status:** A major change in 2025 is that **Poland no longer readily allows in-country changes of status for many visa holders**. As noted earlier, if you are in Poland on a visa for purposes like tourism, culture, or even studies, you are **barred from applying for a temporary residence for work or business without leaving the country**. This affects would-be entrepreneurs who might have arrived on a tourist visa-waiver or a student visa and then decided to start a business. Previously, some would come on a 90-day tourist stamp, set up a company, and apply for a residence permit for business without leaving. Now, that loophole is closed – a person on a tourist or similar visa **cannot apply for a residence permit while in Poland**. They would have to return to their home country and apply for a national visa for business (or possibly if they qualify for some exception, but generally not). **This is a significant tightening:** it means Poland wants business applicants to be intentional and come through the proper channels, rather than converting a visit into a stay. One can infer this also helps screen out unserious applicants. So, a foreign student who suddenly quits school to do a "startup" might be asked to leave and re-enter with the correct visa for that purpose.
- **Requirements for the business (income/revenue/hiring):** The Foreigners Act (Article 142) still lays out what a business must achieve for the foreign owner to be granted or extend a residence permit. The 2025 amendment did not drastically change these thresholds, but enforcement is stricter. Typically, to get

the initial permit, you must show your company has the potential to meet one of these criteria *in the future*: **(a)** contribute to the Polish economy by **generating revenues** (usually by the time of renewal, revenue at least 12-times the average monthly wage), **(b)** or **employ at least 2 Polish citizens or permanent residents full-time for at least a year**, **(c)** or undertake activities that will bring significant innovation or benefits to region. If you're using an **incubator**, often the incubator's endorsement serves as evidence that your startup has potential (they sometimes help you craft a business plan, etc.). However, when it comes time to **extend the permit after the first year or two**, the voivode will check if you've met the targets. If not, extensions are denied. This policy hasn't changed, but given the 2025 push against misuse, we can expect **closer scrutiny at renewal time**. Entrepreneurs should be prepared with financial statements, contracts, or other proof that their business is active and growing.

- **Post-2025 incubator landscape:** Poland's prominent startup support programs (like Poland Prize accelerators, or government-backed incubators) continue to operate and even were expanded in 2023–2024. These incubators provide mentorship and sometimes funding, but crucially for immigration, some are authorized to help foreign founders with the visa/residence process. In 2025, none of that was abolished; in fact, the government still wants to attract innovative businesses. The difference is that now **incubators themselves might be monitored** to ensure they are not just visa factories. If an incubator was found to accept anyone willing to pay a fee without any real startup project – effectively selling sponsorship for residence – it could fall under the suspicion described (an entity facilitating illegal stay). Reputable incubators will thus be more selective with foreign candidates, taking those who have credible business ideas. We might see incubators requiring more proof of concept or commitment before agreeing to support a residence application.
- **Shift from student/tourist to business now formalized:** It's worth noting a new **pilot program** introduced by the Polish government in early 2025: a pathway for foreign graduates of Polish universities to get a **9-month visa to look for work or start a business** (this was a transposition of an EU directive on students/researchers). Graduates using that pathway could then set up a business and apply for a normal business TRC during those 9 months. This isn't directly part of the discussed reforms, but it complements them by giving a legal way for ex-students to transition to entrepreneurs without breaking status.
- **Maintaining legal status via business incubator:** If a foreigner loses their job (or finishes studies) and wants to stay in Poland, one option has been to **join an**

economic incubator which could sponsor a temporary residence for “other activities.” The 2025 law hasn’t eliminated this, but by disallowing in-country applications for those on other visas, the window to do it is narrower. Ideally, you plan ahead: before your current permit expires, you line up acceptance into an incubator and apply to **change purpose of stay** (this might still be possible if done while current stay is valid – the ban in the law text was about those on *visas* from other purposes applying for work/business TRC, but if one already has a TRC, it might be possible to change purpose from student to business from within Poland). The interpretation is complex, but assume it’s become harder. The safest approach if you want to pivot to a business is to **leave and re-enter on a proper visa** rather than risk a refusal in-country.

From a **practical standpoint** for entrepreneurs: Poland remains open to foreign business, especially innovative startups, but demands more professionalism. **Come through the front door** – obtain a **Type D visa for business (purpose: prowadzenie działalności gospodarczej)** from a Polish consulate if you want to launch something. That visa will let you enter and file a residence application. If you’re already in Poland on another status, consult immigration experts to see if you can adjust status or not; don’t overstay or operate a business unlawfully in the interim. Ensure your **business plans are well-documented**. The Office for Foreigners might ask for a detailed **business plan, proof of funds, contracts, letters of intent from potential clients, etc.** as part of the residence application. Post-reform, they want to be convinced that your enterprise is legitimate and beneficial. If you partner with an incubator, the incubator’s letter of support will carry weight, but the onus is still on showing economic benefit.

Financial requirements also deserve emphasis. While the law’s numeric thresholds (revenue, jobs) kick in by renewal time, even initially you must show you have sufficient means to support yourself in Poland (typically by maintaining some savings or demonstrating expected income). Make sure you have a Polish bank account and keep some capital in it to show solvency when asked.

One more 2025 development: **sole proprietorship ban for short-term residents**. As mentioned, Poland explicitly outlawed foreigners on temporary stay (except certain exempt categories) from using the sole proprietorship form. This means if you were thinking of just freelancing under your own name, you likely can’t unless you get a long-term residence. Instead, you must incorporate or use an umbrella company. Some incubators act as an umbrella: e.g., you join the incubator and legally you work under their structure (they invoice on your behalf and pay you as a contractor). This can be okay if it fits within “activities not requiring a work permit” – typically if you’re technically

not an employee but providing a B2B service to an incubator, it might avoid the need for a work permit. However, caution: the government frowns on arrangements that are just a facade for employment without permits (explicitly, paying someone via civil contracts or B2B solely to avoid work permit is targeted by inspectors).

In conclusion, the **post-2025 legal status of business incubator schemes** is that they are still viable, even encouraged, but under greater scrutiny. **Eligibility** now effectively requires coming through proper channels and having a credible plan. **Income and employment requirements** for sustaining the residence are as crucial as ever – you must show your startup is not just a paper entity. The reforms aim to prevent people from *living* in Poland on a business permit if the “business” is not contributing anything (for instance, previously some might register a company, do no real activity, but renew their permit claiming they’re still “trying” – now that will be cut off by stricter enforcement of the criteria). Foreign entrepreneurs should leverage Poland’s strengths – a growing economy, supportive ecosystem, EU market access – but also be prepared to **deliver results**. If you can demonstrate by the end of your first year that your startup made some revenue or secured investment or created jobs, the Polish authorities will happily extend your stay. If not, expect a challenge. In short, **Poland still welcomes startup founders, but show us the startup (not just the visa)**.

11. Real-Life Scenarios – Job Loss, Permit Revocation, and New Enforcement Tools

The 2025 reforms significantly change what happens in various real-life situations for foreigners. Below are a few scenarios and how the new rules affect them:

- **Scenario A: TRC holder loses employment.** Suppose you are a non-EU citizen in Poland on a Temporary Residence Card (TRC) for work (a combined permit tied to a specific employer) and you lose your job – whether by resignation or termination. Under the new system, **your employer is obligated to notify the authorities within 7 days** if you stop working and will be absent for over 2 months or if your employment ends early. This notification goes to the voivode who issued your permit. In the past, if an employer neglected to inform, a foreigner might remain in Poland with a valid card for months undetected. Now, thanks to the notification and integrated data, the **Office for Foreigners will know relatively quickly that you have no job**. Typically, the law requires that a temporary residence permit (for work purposes) be revoked if the factual basis ceases and there is no prospect of resuming it. You will likely receive a letter from

the Voivodeship Office asking you to clarify your situation or **initiating revocation** of the permit.

You do have a short window to act. If you can find a new employer who is willing to sponsor you, you should ideally **apply for a new residence/work permit within 30 days** of job loss (this was an unofficial guideline earlier). However, the new law doesn't grant a formal grace period for regular work permits – so the faster the better. In practice, voivodes may wait up to 30–60 days before revocation to allow time for an appeal or new application, but one shouldn't rely on a long delay. **Blue Card holders** are in a better position: by EU law, a Blue Card holder may stay unemployed for up to **3 months without the card being withdrawn**, and can change jobs with just a notification to the office. If you have a Blue Card and lose your job, you must notify the voivode within 15 working days, but you then have 3 months to find new employment at Blue Card level. If you secure a new job, you simply inform the office and continue – no new permit needed in many cases. If 3 months pass and you haven't found work, then the voivode can revoke your Blue Card.

For other TRC holders (work permits), assume **virtually zero grace period**. The safest course is to **leave Poland** upon losing the job (to avoid accruing illegal stay) and re-enter on a new visa once you have a new job offer. Alternatively, quickly file a new residence application (for a new job or even switch to a different basis like job-seeking or family if applicable) while your current permit is still valid. If you do nothing, **the cancellation of your permit will make your stay illegal** and you could face an order to leave. Under the new enforcement regime, overstaying or remaining without basis is more likely to result in a **entry ban** or fine, since everything is tracked.

- **Scenario B: TRC holder wants to change jobs or add a part-time job.** Under the old rules, changing jobs required a new permit (or an amendment if you had a flexible “VOIVODE permit” which in practice didn't really exist – each was tied to an employer). Now, if you hold a standard work-type TRC and you want to change employer, you still have to apply for a new permit (unless it's Blue Card, see above). The difference is procedural streamlining (no labor market test, etc.). So this scenario hasn't drastically changed except that it's faster to get a new permit. One caution: if you change jobs without obtaining a new permit first, you are **violating the terms of your stay** – previously some people did this during long permit processing times. Now, since you must apply online and get a confirmation immediately, you're expected to file that application *before* working at the new job. If you don't, the integrated systems might flag that you started working somewhere not on your permit (for example, via ZUS records). This

could lead to trouble during an inspection. Always *update your permit legally before changing jobs*.

- **Scenario C: Student drops out of university.** As covered, if a foreign student quits or is expelled, the university will notify the issuing consul (for visa) and/or the voivode (for residence permit). The student's visa can be voided, and if they had a residence card, the voivode can initiate revocation because the purpose (studies) is no longer being fulfilled. The student is expected to depart Poland or, if they have another basis (like they found a job), apply immediately for a change of status. Continuing to stay as if nothing happened is very risky now – authorities might even conduct checks at institutions to see if foreigners are attending. In 2025, Poland also launched the “**Świadomy Student**” (**Aware Student**) initiative, increasing inspections of private colleges that host foreigners. A student found not attending classes could be reported to immigration. Enforcement tools include canceling their permit and possibly issuing a removal order. The student should either enroll in another program (and formally change the residence purpose) or leave. On the flip side, if a student completes their degree, they should inform the Office for Foreigners if they intend to stay (for work or job search) – Poland allows application for a post-study permit within the validity of the student permit.
- **Scenario D: Working on a wrong visa or no permit.** Consider a foreigner who entered visa-free (90 days Schengen) and started doing freelance IT work for a Polish company, or someone on a cultural visa who took up a job. With the new rules, this is explicitly illegal – those statuses do not allow work. The government has empowered border guards and labor inspectors to catch such cases. They may do this by random workplace raids or by digital trails (e.g., tax filings, or even public info). If caught, the **employer faces a fine of PLN 3,000 to 50,000** for illegal employment. The **foreign worker themselves can be fined from PLN 1,000 up to 5,000** and potentially issued a decision expelling them with a ban of 1 year or more. Poland significantly raised these penalties in 2025 – previously some employers treated fines as a cost of doing business; now 50k zł (about \$12k) is a serious deterrent. Even agencies or intermediaries who facilitate illegal work can be penalized under new provisions. The message is clear: do not work without authorization.

If a foreigner finds themselves inadvertently on the wrong visa (say they came on a visiting visa but want to work), the best course is to leave and apply for the correct visa or permit. The era of just “winging it” is ending. Also note, **working on a different Schengen country's visa in Poland is now expressly forbidden** – e.g., if you have a

work visa from Country X and you think you can use it to work in Poland, you cannot. Poland will treat that as illegal employment and has closed that loophole (some used to do that to avoid Polish permits).

- **Scenario E: Employer non-compliance or changes.** Let's say a foreigner's employer fails to send in the contract or doesn't notify about changes and an inspection happens. With new data retention rules, during an audit, if the contract copy isn't on file, the **work permit could be revoked for that employee** and the employer fined. Additionally, if an employer is found to have, for example, mis-stated the foreigner's job role or is paying less than promised, the authorities can use that as grounds to revoke or not renew the permit on the basis that conditions aren't met. Employers now have to be very careful to follow the rules – and foreigners should be aware of their rights. If your boss tries to underpay you below the minimum or change your job drastically without updating the permit, you're both in violation. As a foreign worker, it's wise to keep your own copies of documents and insist the employer follows the reporting rules. In case an employer doesn't notify your end of work (maybe to avoid trouble), **you should notify the Office for Foreigners yourself** and seek advice, otherwise you might be held accountable later for overstaying "unknowingly." The law places the duty on the employer, but ultimately it's your status on the line.
- **Enforcement tools:** Beyond notifications and database flags, Poland still uses **physical checks and investigations**. The Border Guard has an Aliens Department that conducts operations to find visa overstayers or unauthorized workers. In 2025, with "Taking back control" ethos, these operations have ramped up. They are empowered to **visit workplaces, check IDs on the street (with cause), and even use data analytics** (for example, if 10 foreigners all list the same small apartment as their address on applications, that might trigger an inquiry to see if an "address-selling" scheme is happening). The reforms also increased **information sharing between agencies** – tax office, Social Security (ZUS), labor offices, and immigration all can exchange data more freely now. If ZUS shows a foreigner isn't paying any contributions (meaning not employed) but they have a residence permit for work, that can alert immigration to check on them. If the tax office shows a company sponsoring many foreign workers isn't actually paying salaries (withholding taxes, etc.), they can flag it.
- **"Residence verification" in action:** By mid-2025, Poland was implementing an automated system to **cross-check if foreigners issued TRCs are actually present and active**. This might involve **border exit data** – for instance, if a foreigner with a TRC left Poland 8 months ago and never returned, the system

might auto-initiate termination of their permit for no longer residing in Poland. Likewise, foreigners who obtained a permit but never picked up their residence card (which happens when people apply and then leave) will have those applications denied under new procedures (the MOS will close cases if someone doesn't appear to complete fingerprints etc.).

In all scenarios, a common theme emerges: **the safety nets or gray zones that foreigners sometimes relied on have been narrowed**. It's more important than ever to **stay proactive and compliant**. If you lose your job – act immediately (don't wait for authorities to find out). If you want to change status – apply properly and don't just hope no one notices. If you realize you're not in compliance – correct it or depart before you get an interdiction.

Key tip: Keep yourself informed (by reading official sources or consulting legal experts) about the **current rules and any procedural changes**. For example, the Office for Foreigners website (udsc.gov.pl) and the government legal portal publish announcements of new laws. The reforms were published in Polish in Dziennik Ustaw (the official journal) and summarized by firms like Dudkowiak and Kochański in English, which we've cited throughout. As a foreigner, knowledge is power – know the terms of your visa or permit, and you will avoid most pitfalls.

To conclude, the 2025 immigration reforms in Poland create a more **structured and enforcement-focused environment** for foreigners. Those who abide by the rules – legitimate students, honest workers, genuine entrepreneurs, highly skilled specialists – have little to fear and in fact benefit from faster procedures and better rights (especially Blue Card holders, who gain many freedoms). Those who attempted to exploit loopholes or operate in the shadows will find it much harder to do so. The system is moving towards one where **every foreigner has a clear status and purpose, and those who fall out of line are swiftly identified**. By understanding these changes and planning accordingly, foreigners can still build a successful life and career in Poland, a country that does value their contributions – as evidenced by issuing **1.13 million work registrations to foreigners in recent years (the highest in EU) – but now on Poland's terms of “controlled and legal” migration.

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