

OBTAINING INFORMATION REGARDING DATA ENTERED INTO THE LIST OF FOREIGNERS WHOSE STAY ON THE TERRITORY OF THE REPUBLIC OF POLAND IS UNDESIRABLE OR IN THE SCHENGEN INFORMATION SYSTEM FOR THE PURPOSE OF REFUSING ENTRY AND STAY, DURATION OF THAT ENTRY AND ABOUT THE LEGAL AND FACTUAL GROUNDS FOR THE ENTRY. RECTIFICATION OR DELETION OF DATA.



Who can access the information?

A foreigner, who wishes to:

- establish whether their data has been entered by the Head of the Office for Foreigners into the List or in the SIS
- have their data in these registers rectified - if incorrect or incomplete
- have their data deleted from these registers - if they have been placed in breach of the applicable legal provisions.



How to do this?

Apply in writing to the Head of the Office for Foreigners. You will find the application form in the Case Handling Module (MOS) in the "Fill in an on-line application" section.

If the entry was made by an authorised country other than Poland, the issue should be resolved via the Commander-in-Chief of the Police.





Who provides information and in what form?



Once the application has been positively verified and the requested action has been taken (e.g. applicant's data has been deleted from the List), the Head of the Office for Foreigners issues the relevant certificate.



If the Head of the Office for Foreigners refuses to perform the action, e.g. to remove the applicant's data from the List, they issue a decision regarding refusal to issue the certificate. The decision may be appealed to the Voivodeship Administrative Court (WSA) in Warsaw.



If the applicant's data have been included in the List and the SIS on the basis of a decision of the Head of the Office for Foreigners, the authority considers the application for deletion of these data as an application for revocation of that decision. **If the application is substantiated**, they issue a decision to overturn the decision constituting the basis for the entry, delete the data and issues a relevant certificate. **If, on the other hand, the application is unsubstantiated, they issue a refusal decision** that may be challenged before the WSA in Warsaw.



The certificate (information) is valid only as of the date of its issue.



Description of the procedure



1. Consult the information on the portal Case Handling Module in the section "List of foreigners whose residence in the Republic of Poland is undesirable".



2. Appoint a legal proxy for proceedings in Poland, if you live outside the EU. Do this in writing - you will find a specimen power of attorney letter on the MOS website. Remember to pay the stamp duty.



3. Download and complete the application form - in full, in Polish.



4. Print out and sign the application in your own handwriting (if application is not submitted to the electronic delivery address of the Head of the Office for Foreigners).



5. Pay the stamp duty for issuing the certificate.



6. Submit the application with the attachments - by post or in person to the address of the Office for Foreigner's registry office (ul. Taborowa 33, 02-699 Warsaw) or to the electronic delivery address (When submitting the application this way, remember to sign it and each attachment with a trusted profile or qualified electronic signature).

Attachments:

- confirmation of payment of stamp duty for the issue of the certificate
- power of attorney, if a legal proxy has been appointed, together with confirmation of payment of stamp duty



Attachments should be submitted as originals or certified true copies of documents.



7. The application will be examined within 30 days. During this time, you may receive a call to supplement an incomplete application.



8. The Head of the Office for Foreigners will either issue a certificate or a decision to refuse to issue a certificate. The decision may be appealed against to the WSA in Warsaw.



If the data have been included in the register and the SIS on the basis of a decision of the Head of the Office for Foreigners on refusal of entry and stay on the territory of Schengen States, the following takes place:

- a decision is made to overturn the original decision and issue a certificate
- or
- a decision to refuse the request is made, which may be appealed against to the WSA in Warsaw.