

SHORT-TERM MOBILITY OF INTRA-CORPORATE TRANSFEREES



Who can benefit from short-term ICT mobility in Poland?

A non-EU national who:



"ICT" residence permit

- has a residence permit with endorsement "ICT", issued by an EU Member State other than Poland (except Ireland and Denmark)



Intention to stay up to 90 days within a period of 180 days

- intends to come to Poland for a period of up to 90 days (in any 180-day period), to work as a manager, specialist or trainee employee in a host entity based in Poland.



The posting company (the so-called "home employer") should be based outside the EU, EEA or Switzerland and the host entity should be its branch, representative office or belong to the same group of companies.



What conditions have to be met?

The Head of the Office for Foreigners:



has received a notification of intention to benefit from mobility from the host entity, which is established in another EU Member State, together with the required attachments;



has not issued an objection decision – within 20 days from the date of receipt of the documents.



Notification - important information

- The notification should have a specific content and be submitted to the Head of the Office for Foreigners with the necessary attachments.
- It shall be delivered by the receiving unit, which is based in the EU Member State that issued the residence permit with the notation "ICT".



- The foreigner is not entitled to bring the notification themselves.
- Documents should be provided in original or as a certified copy. Foreign language documents should be submitted with a legal translation.
- Mere submission of the notification does not provide legal stay in Poland - a necessary condition is the absence of an objection decision by the Head of the Office for Foreigners.



Manners of delivering the notification:



Sending it by post or submitting it in the Office's registry office (ul. Taborowa 33 in Warsaw)



Sending to the electronic delivery address of the Head of the Office for Foreigners



Description of the procedure



1. Preparation of the notification and attachments, according to the information posted on the MOS portal in the "Mobility" section.



2. Submission of the above documents to the Head of the Office for Foreigners.



3. Awaiting reaction of the Head of the Office for Foreigners.



Upon receipt of the notification, the Head of the Office for Foreigners may, within a period of 20 days, issue a **decision on objection** to mobility. This period starts to run from the date of delivery of the notification with the required attachments.



If the **Head of the Office for Foreigners does not issue an objection decision, the foreigner may benefit from** ICT mobility in Poland, i.e.:

- may perform work without a work permit,
- may enter and stay in Poland and repeatedly cross the border of the Republic of Poland during the mobility period (up to 90 days in any 180-day period). The period of mobility cannot exceed the period of validity of the residence permit with the endorsement "ICT".



What if there is an objection?

The decision on the objection is final, i.e. it's not possible to appeal against it or to file a request for reconsideration. The decision may be challenged by filing a complaint to the Voivodeship Administrative Court (WSA) in Warsaw, which should be filed through the Head of the Office for Foreigners within 30 days from the date of its delivery.



Detailed information can be found on mos.cudzoziemcy.gov.pl in the "Mobility" section.