

# Global Immigration alert

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## Poland

### Poland proposes introduction of a “silent procedure” for selected temporary residence permit applications

#### Executive summary

The Polish Ministry of the Interior and Administration recently proposed amendments to the Act on Foreigners, introducing a “silent procedure” for selected temporary residence permit proceedings. Under this framework, an application may be deemed approved if no decision is issued within a statutory deadline. The new framework is intended to significantly reduce waiting times for nationals of selected, low-risk third countries and may improve predictability for certain categories of business mobility, although its practical scope is expected to be limited.

#### Background

Due to sustained economic growth, demographic changes and labor market needs, Poland has experienced a significant increase in applications for residence permits, leading to lengthy processing times at Voivodeship offices. This situation also affects nationals of highly developed third countries considered strategically important for the Polish economy. The proposed amendments aim to activate the “silent settlement of matters” mechanism regulated under the Code of Administrative Procedure by introducing specific provisions into the Act on Foreigners.

#### Key developments

Key changes include the following:

- Introduction of a “silent procedure” allows temporary residence permit proceedings to be deemed concluded positively if the authority does not issue a decision within the statutory timeframe.
- The mechanism will apply only to nationals of selected, highly developed third countries assessed as presenting a low migration risk.
- Eligibility will be limited to nationals of third countries whose citizens benefit from visa-free travel to the European Union.

- The list of eligible countries will be determined by the Council of Ministers by way of a regulation, based on migration risk and security cooperation criteria.
- The silent procedure will apply after 60 days from submission of a complete application, or, where formal deficiencies exist, from their rectification.
- The procedure will apply only to first-instance proceedings conducted by Voivodes and will not cover appeal proceedings before the Head of the Office for Foreigners.
- The silent procedure will not apply where the foreign national is listed in the Schengen Information System (SIS), in the national register of undesirable foreigners, or where security or public order concerns are identified.
- If security checks are not completed within the statutory timeframe, the “silent procedure” approval will not apply. The residence card will only be issued after an approval decision by authorities.
- Where a security risk is subsequently identified, the Voivode may revoke the permit with immediate effect.
- If the personal appearance requirement is not fulfilled before silent approval, it must be completed afterwards within. Failure to do so may result in expiry of the silent approval.

#### Timelines and transitional rules:

- The draft amendments are expected to be adopted by the Council of Ministers in Q2 2026. At this stage, the entry-into-force date of the proposed changes has not been specified.

#### Who is affected?

- Based on the currently available information, the new framework may benefit nationals of the following countries: Australia, Canada, Japan, the Republic of Korea, New Zealand, Singapore, the United States, the United Kingdom and Taiwan. This list reflects current expectations only and has not been explicitly confirmed in the published legislative materials.

### Impact on employers

- Employers may experience shorter and more predictable processing timelines for temporary residence permits, for a limited group of foreign nationals.
- The narrow personal scope of the mechanism means that the majority of residence permit cases are unlikely to benefit from the silent procedure.
- Workforce planning for strategic roles involving nationals of eligible countries may become more feasible once the list of countries and entry-into-force date are confirmed.

### Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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