

Central Statistical Office of Poland

FINAL REPORT

within Project No 12

Improving the quality and availability of migration statistics

Transition Facility 2004 – 19100.2005.001-2005.536

Warsaw, December 2007

EXPLANATORY NOTE

This report has been made with financial support of the European Commission. There are stances of the Central Statistical Office, the Ministry of Interior and Administration, the Office for Foreigners presented in this report and cannot be regarded as reflecting official opinion of the European Commission.

Report elaboration:

Lucyna Nowak – leader of the Project No 12

Zofia Kostrzewa

Aleksandra Pazderska

Dorota Szałtys

and

Ewa Jabłońska, Alina Sobieszak, Joanna Stańczak

with

close essential co-operation with the Office for Foreigners and the Ministry of Interior and Administration

Contents

1. Introduction
2. Legal analysis of the Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (Text with EEA relevance)
3. Current status of migration statistics in Poland
 - 3.1 Basic legislation in Poland and national definitions
 - 3.2 Methodology of collecting data on migration
 - 3.3 Basic sources of data on migration statistics
 - 3.4 Administrative data sources
 - 3.4.1 Electronic System of Population Register (PESEL)
 - 3.4.2 POBYT System
4. Analysis of the requirements of the Regulation (EC) No 862/2007 of the European Parliament and of the Council
5. Actions undertaken within the Project
 - 5.1 Study visit in the Federal Statistical Office in Wiesbaden – Germany
 - 5.2 Working meeting with representatives of the Eurostat
 - 5.3 Working Group for gathering and exchange of statistics
 - 5.4 Co-operation with the Partners within the Project No 12
6. Polish actions towards the improvement of quality and international comparability of migration statistics
 - 6.1 Additional surveys concerning migration planned for 2008
 - 6.2 Estimates of international short and long-term migration – prepared by the CSO
7. Plan of improvement of the quality of international migration statistics
8. Analytical part; size of migration, types and directions of international population movements
9. ANNEX
 - 9.1 Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers
 - 9.2 List of Polish legal acts as of 1 December 2007
 - 9.3 Detailed analysis of national legal acts
 - 9.4 Forms of the surveys "Immigrants in Poland" and "Labour market situation of migrants and their immediate descendants"
 - 9.5 Forms of the National Population and Housing Census 2002
 - 9.6 Tables with data on international migration

1. Introduction

Contemporary international migration seems to be a massive process covering practically all social groups in the entire world. During a few recent decades Europe, as a continent, has transformed from the region from which people emigrated into a significant area of destination immigration, however, within the European continent there always have been intensive migration between certain countries, usually related to historical events or periods of fast economic development. Recently in Europe, migration concerning the European Union Member States has become particularly significant

In order to apply migration policy but also the Community labour market policy and socio-economic policy it is particularly important to have good quality information on migration within the Community and from outside the EU Member States area. Role of statistics – due to the necessity to provide up-to-date and reliable data – is doubtless the key role. The present situation requires properly organized system for migration observation protecting i.a. detailed identification of mobility forms, directions of movements, duration of migration, reasons for migration as well as social and demographical data concerning migrants. The quality of data on migration should also be high due to the fact that this data constitutes the basis of pursuing migration policy. It is also used to evaluate its effectiveness, which is aimed at promotion of immigrants' integration and their participation in the European labour market as well as fighting the racism and discrimination.

Migration is an important factor influencing the change of the number of population, therefore, in order to assure correct estimates and projections it is essential to measure migration effectively. Accurate estimates of current size and structure of population as well as proper population projections are essential for monitoring and development of the national socio-economic policy.

Therefore, migration statistics should be harmonised and comparable among all EU Member States. All countries should use the same definitions and similar data sources. It is necessary to collect information on the nationals of the EU Member States as well as on the third-country nationals. Knowledge of internal migration in the EU (among all Member States) is also needed as well as on the movements between Member States and third countries. It is also very important to obtain information on the share of migrants in the society, knowledge of migration stocks, as well as of their participation in the labour markets in the host countries.

Within the Transition Facility Multi-Beneficiary Programme 2004 the Central Statistical Office of Poland in co-operation with the Ministry of Interior and Administration, the Office for Foreigners and the Ministry of Labour and Social Policy participated in the Project No 12 "Improving the quality and availability of migration statistics".

The aim of the Project was:

1. Enlargement and improvement of the co-operation with the institutions having statutory obligation to collect data on migration and international protection statistics;
2. Improvement of use of existing data sources,
3. Improvement of quality of data gathered for statistical purposes in view of national and international needs,
4. Creation of the background aimed at acquiring in the future migration data that is still not available now,

Within the framework of the Project, review of all available data sources on international migration was made. They were analysed in view of the possibility of obtaining data required by earlier mentioned Regulation No 862/2007. National legal acts on international migration, citizenship and international protection were also listed and the necessity of amendments was pointed out.

The report includes description of Polish legal acts regulating issues concerning international migration, methodology of gathering statistical data, the scope of this data as well as its sources – especially including administrative sources.

Some areas in which Polish statistics does not yet fulfil expectations of the new Regulation are indicated as well as there are actions described which should be taken up in order to guarantee full conformity with the Regulation.

This report includes also a description of actions undertaken in the time of the Project duration as well as the plan of improving the quality of Polish migration statistics and enlargement of the scope of data. In order to present the scale and destinations of migration to/from Poland there is also a short analytical part included which concerns the phenomenon and process of international population movement.

2. Legal analysis of the Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (Text with EEA relevance)

The legal basis

This legislation is based on Article 285 of the Treaty establishing the European Community relating to statistics. The EU legislation is designed to minimize the impact on the operation of national administrative and statistical systems. It is proposed that statistics be prepared according to harmonized definitions that are based on existing international standards and on Community legislation relating to asylum and immigration. The statistics covered by the legislation are based largely on the existing statistical data collections undertaken by Eurostat.

The basic obligation for Member States

The obligation for all Member States follows from these provisions:

Article 3

Statistics on international migration, usually resident population and acquisition of citizenship

Member States shall supply to the Commission (Eurostat) statistics on the international migration, usually resident population in the Member State and statistics granting citizenship disaggregated by criteria described in this article.

Article 4

Statistics on international protection

Member States shall supply to the Commission (Eurostat) statistics on international protection disaggregated by criterion described in this article.

Article 5

Statistics on the prevention of illegal entry and stay

Member States shall supply to the Commission (Eurostat) statistics on illegal entry and stay disaggregated by criterion described in this article.

Article 6

Statistics on residence permits and residence of third-country nationals

Member States shall supply to the Commission (Eurostat) statistics on residence permits and residence of third-country nationals disaggregated by criterion described in this article.

Article 7

Statistics on returns

Member States shall supply to the Commission (Eurostat) statistics on returns disaggregated by criterion described in this article.

Article 8

Additional disaggregations

The Commission may adopt measures relating to the definition of additional disaggregations by criterion described in this article.

Article 9

Data sources and quality standards

The statistics supplied by Member States shall be based on data sources according to their availability and in accordance with national law and practices.

3. Current status of migration statistics in Poland

3.1. Basic legislation in Poland and national definitions

Basic legal acts concerning foreigners and nationals of the EU Member States and their family members who are not the nationals of the EU in the territory of the Republic of Poland:

1. The most important act is **The Act on Foreigners of 13 June 2003** (Journal of Laws of 2006, No 234, item 1694 with further amendments). This act defines terms and conditions of the entry into the Republic of Poland, crossing its territory, residence within and exit from this territory by foreigners as well as course of action and competences of authorities in these cases. This act is not applied to the nationals of the EU Member States and their family members as well as to the citizens of the European Economic Area countries which do not belong to the EU but on the basis of separate agreements use the right of free movement of persons;
2. **The Act of 13 June 2003 on Granting Protection to Foreigners within the Territory of the Republic of Poland** (Journal of Laws of 2006, No 234, item 1695 with further amendments). This act regulates issues on how to deal with people seeking protection in the territory of the Republic of Poland. It is also aimed at adjustment of Polish law to the EU standards in this scope. This act is *lex specialis* to the Act on Foreigners;
3. **The Act on the Entry into, Residence in and Exit from the Republic of Poland of Nationals of the European Union Member States and their Family Members of 14 July 2006** (Journal of Laws of 2006, No 144, item 1043 with further amendments) supplements and closes the system of regulations in the scope of entry into and residence in the territory of the Republic of Poland of foreigners after the accession to the EU;
4. Matters concerning acquisition and loss of Polish citizenship are regulated by **the Act of 15 February 1962 on Polish Citizenship** (Journal of Laws of 2000, No 28, item 353, with further amendments);
5. **The Act of 9 November 2000 on Repatriation** (Journal of Laws of 2004, No 53, item 532, with further amendments) regulates all the issues concerning acquisition of Polish citizenship by way of repatriation – the course of action concerning applications for repatriation, responsibilities of public administration in helping repatriates who came to Poland as well as their detailed rights;
6. Nowadays issues concerning taking up and doing a job in Poland by a foreigner are regulated by **the Act of 20 April 2004 on Employment Promotion and Labour Market Institutions** (Journal of Laws of 2004, No 99, item 1001, with further amendments);
7. The basic legal act which regulates obligation of registration is **the Act of 10 April 1974 on Registration of Population and Identity Cards** (Journal of Laws of 2006, No 139, item 993, with further amendments). According to it, registration of population consists i.a. in registration of data on place of residence. Each person residing in the territory of Poland – regardless of citizenship – is to fulfil registration obligation specified in the act.

Definitions from the regulation and their equivalents in Polish law

ARTICLE	REGULATION	POLISH LEGAL BASIS
Article 2 a)	"usual residence" means the place at which a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage or, in default, the place of legal or registered residence	The Polish legal order does not include the definition of 'usual residence'. According to the Civil Code place of residence of <u>individual person</u> is a <u>locality</u> , where the person is residing with an intention to stay there permanently (Article 25). Equivalents in the national practice are: permanent residence or temporary stay (Act on Registration of Population and Identity Cards);
Article 2 b)	"immigration" means the action by which a person establishes his or her usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country;	The Polish legal order does not include the definition of "immigration". This term – in Polish conditions – is defined as the registration of permanent residence or temporary stay (Act on Registration of Population and Identity Cards);
Article 2 c)	"emigration" means the action by which a person, having previously been usually resident in the territory of a Member State, ceases to have his or her usual residence in that Member State for a period that is, or is expected to be, of at least 12 months;	The Polish legal order does not include the definition of "emigration". This term – in Polish conditions – is defined as de-registration from the place of permanent residence or temporary stay (Act on Registration of Population and Identity Cards);
Article 2 d)	"citizenship" means the particular legal bond between an individual and his or her State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation;	No equivalent. However, the Act on Polish Citizenship contains development of this definition;
Article 2 e)	"country of birth" means the country of residence (in its current borders, if the information is available) of the mother at the time of the birth or, in default, the country (in its current borders, if the information is available) in which the birth took place;	The Polish legal order does not include the definition of "country of birth". This term – in Polish conditions – is defined as "place of birth" (Act on Registration of Population and Identity Cards). In legal acts concerning legalization of foreigners' stay in the territory of the Republic of Poland, it exists as a country in which birth took place;
Article 2 f)	"immigrant" means a person undertaking an immigration;	The Polish legal order does not include the definition of "immigrant". This term – in Polish conditions – is defined as a person who makes a registration for permanent residence or temporary stay (Act on Registration of Population and Identity Cards);
Article 2 g)	"emigrant" means a person undertaking an emigration;	The Polish legal order does not include the definition of "emigrant". This term – in Polish conditions is defined as a person who makes a de-registration from permanent residence or temporary stay (Act on Registration of Population and

		Identity Cards);
Article 2 h)	"long-term resident" means long-term resident as defined in Article 2(b) of Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents;	The Act on Foreigners defines long-term resident in Article 65.1.
Article 2 i)	"third-country national" means any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty, including stateless persons;	No equivalent in legislation concerning foreigners. However, in the light of the Act on Foreigners any person who does not have Polish citizenship shall be regarded as foreigner. A foreigner who is a citizen of two or more states shall be treated as a citizen of the state of which authority had issued the travel document presented by the foreigner upon crossing the border of the Republic of Poland.
Article 2 j)	"application for international protection" means application for international protection as defined in Article 2(g) of Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted;	No equivalent in legislation concerning foreigners. However, in the light of The Act on Granting Protection to Foreigners within the Territory of the Republic of Poland international protection is defined as granting: refugee status, asylum, permit for tolerated stay; providing with temporary protection (Article 3 of the mentioned Act); In the proposal of the Act on the Change of the Act on Granting Protection to Foreigners within the Territory of the Republic of Poland and on the Change of other Acts the list of kinds of protection in Poland is extended by subsidiary protection (see: Proposals of Acts).
Article 2 k)	"refugee status" means refugee status as defined in Article 2(d) of Directive 2004/83/EC;	According to The Act on Granting Protection to Foreigners within the Territory of the Republic of Poland, Article 13.1 recognizes definition from the Geneva Convention and the New York Protocol: "The refugee status in the Republic of Poland shall be granted to an alien who fulfils the conditions for being recognized as the refugee, specified in the Geneva Convention and the New York Protocol".
Article 2 l)	"subsidiary protection status" means subsidiary protection status as defined in Article 2(f) of Directive 2004/83/EC;	According to The Act on Granting Protection to Foreigners within the Territory of the Republic of Poland, "tolerated stay" is also called "subsidiary protection". It concerns people who applied for refugee status but received negative decision. It may also concern people who were granted decision on expulsion. Permit for tolerated stay is an institution of Polish legal order and is not regarded

		<p>as international protection within Directive 2005/85/EC.</p> <p>Proposal of the Act on the Change of the Act on Granting Protection to Foreigners within the Territory of the Republic of Poland and on the Change of other Acts introducing to the Polish legal order regulations of Directive 2004/83/EC and Directive 2005/85/EC supplements the list of kinds of protection granted to foreigner in Poland by subsidiary protection (implementation planned for 1 April 2008).</p>
Article 2 m)	<p>"family members" means family members as defined in Article 2(i) of Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national</p>	<p>The Act on Foreigners in Article 53.2 defines "member of the family of an alien" as:</p> <ol style="list-style-type: none"> 1) a person married to an alien, such marriage being recognised under the Polish law in force; 2) a minor child of an alien and person married to an alien, such marriage being recognised under the Polish law in force, including an adopted child; 3) a minor child of an alien, including his/her adopted child, if the alien exercises actual parental control over the child; 4) a minor child of a person referred to in point 1, including his/her adopted child, if he/she supports and exercises actual parental control over the child. <p>As a member of family of minor alien who has been granted refugee status and resides in the territory of the Republic of Poland without care shall be also regarded his/her direct ascendant;</p>
Article 2 n)	<p>"temporary protection" means temporary protection as defined in Article 2(a) of Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof;</p>	<p>According to The Act on Granting Protection to Foreigners within the Territory of the Republic of Poland, Article 106, temporary protection concerns foreigners arriving to the Republic of Poland in great numbers, who have left their country of origin or specific geographical area for the reason of foreign invasion, war, civil war, ethnic conflicts or serious violation of human rights;</p>
Article 2 o)	<p>"unaccompanied minor" means an unaccompanied minor as defined in Article 2(i) of Directive 2004/83/EC;</p>	<p>In The Act on Granting Protection to Foreigners within the Territory of the Republic of Poland, chapter 3 in Division II is devoted to proceedings related to a minor staying in the territory of the Republic of Poland without a legal representative. However, there is no definition of this expression. It is adopted that "unaccompanied minor" concerns foreigner</p>

		who is less than 18 years old and resides in Poland without any legal representative (usually without parents);
Article 2 p)	"external borders" means external borders as defined in Article 2(2) of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)	No equivalent in national legislation; the definition is adopted according to the Schengen Borders Code;
Article 2 q)	"third-country nationals refused entry" means third-country nationals who are refused entry at the external border because they do not fulfil all the entry conditions laid down in Article 5(1) of Regulation (EC) No 562/2006 and do not belong to the categories of persons referred to in Article 5(4) of that Regulation;	No equivalent in legislation concerning foreigners. However, in the light of the Act on Foreigners any person who does not have Polish citizenship shall be regarded as foreigner. A foreigner who is a citizen of two or more states shall be treated as a citizen of the state of which authority had issued the travel document presented by the foreigner upon crossing the border of the Republic of Poland.
Article 2 r)	"third-country nationals found to be illegally present" means third-country nationals who are officially found to be in the territory of a Member State and who do not fulfil, or no longer fulfil, the conditions for stay or residence in that Member State;	The Polish legal order does not include the definition of "third-country nationals found to be illegally present". However, the conditions of stay or residence in Poland are described by The Act on Foreigners;
Article 2 s)	"resettlement" means the transfer of third-country nationals or stateless persons on the basis of an assessment of their need for international protection and a durable solution, to a Member State, where they are permitted to reside with a secure legal status.	No equivalent in legislation concerning foreigners;

Proposals of the Acts

Proposal of the Act on the Change of the Act on Granting Protection to Foreigners within the Territory of the Republic of Poland and on the Change of other Acts

This proposal is aimed at introducing to the Polish legal order regulations of Directive 2004/83/EC and Directive 2005/85/EC which envisage introducing common criteria of identification of persons who really need international protection, as well as common minimum rules concerning procedures of its granting and deprivation for all the EU Member States. The intention of European law-maker was to limit the flows of foreigners applying for refugee status among EU Member States taking into account differences in regulations regarding to the protection.

The proposed amendment of the Act states that **refugee status is to be the basic form of protection for persons residing within the Territory of the Republic of Poland, who apply to appropriate authorities for granting it.** A foreigner is granted refugee status if he/she does not want to or cannot gain protection from the country of origin as a consequence of justified fear of being persecuted in that country due to race, religion, nationality, political beliefs or affiliation to particular social group. **Each application of a foreigner for granting**

protection will be treated as an application for granting refugee status. If – during the proceedings – it will occur that this person does not fulfil the conditions which should be fulfilled when granting refugee status, circumstances which enable granting subsidiary protection will be taken into account. However, if they will not be sufficient either – a foreigner shall be granted permit for tolerated stay.

The most important change is supplementing the list of kinds of protection granted to foreigners in Poland – subsidiary protection is added. According to this proposal, **this kind of protection is to be granted to a person who does not fulfil the conditions which should be fulfilled when granting refugee status but in case of his/her returning to the country of origin she/he may be subjected to real risk e.g. capital punishment, tortures or inhuman treatment.** Persons under subsidiary protection will have analogous rights as foreigners with permit for tolerated stay have so far, i.e. right for social welfare and family benefits. Continuous residence of foreigner in Poland for 7 years (on the basis of subsidiary protection) will be enough to be granted permit to settle in Poland.

3.2 Methodology of collecting data on migration

Statistics on migration should provide information on migration stocks and flows. Data on flows enables to monitor the size of inflow/outflow of persons to/from abroad in certain period of time – most often in particular year. Data on migration stocks characterize population (Poles and foreigners) by socio-demographic features and directions of flows as well as by reasons. Whereas data on migration is the basis of pursuing migration policy as well as when taking actions aimed at integration of immigrants with society of host country.

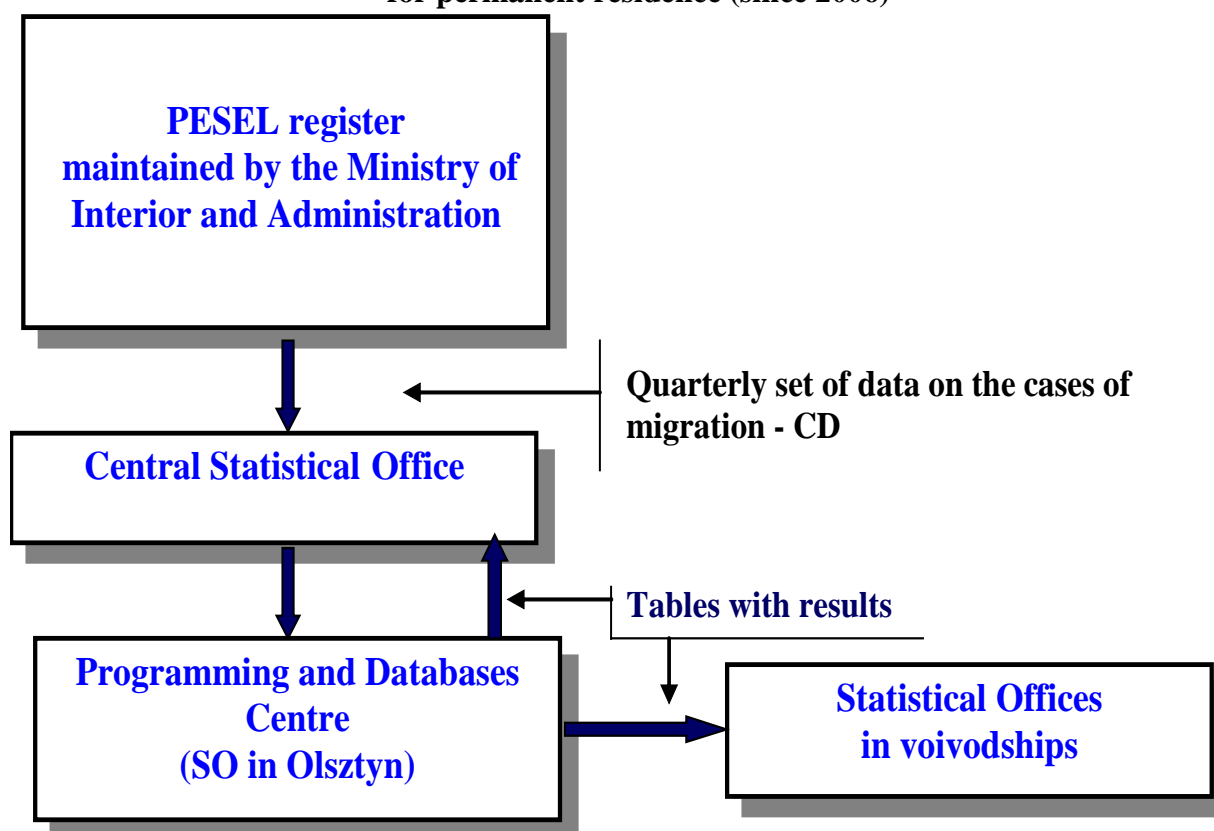
Currently, Polish statistics collects data on migration for permanent residence and for temporary stay above 3 months (until 2005 inclusively – for temporary stay above 2 months).

Current statistics of international migration covers the documented changes of place of residence/stay, i.e. the facts of:

- a) registering persons arriving from abroad for permanent residence in Poland (immigration for permanent residence),
- b) registering persons arriving from abroad for temporary stay in Poland above 3 months,
- c) de-registering from permanent residence in Poland due to departure abroad for permanent residence,
- d) reporting leaving Poland for a temporary stay abroad above 3 months.

Number of registrations for permanent residence within a given year is treated as the flow of immigration for permanent residence, and the number of de-registrations from permanent residence in Poland due to departure abroad – made in a given year – is treated as the flow of emigration. Until 2005 inclusively, data was collected based on registration for residence or stay documentation from gminas, whereas since 2006 it is captured directly from the register of inhabitants of PESEL. Data is provided to the Central Statistical Office on a quarterly basis – approx. 40 days after the end of quarter. The flow of data on permanent residence is presented in schema 1.

Schema 1. Transferring statistical information on migration for permanent residence (since 2006)

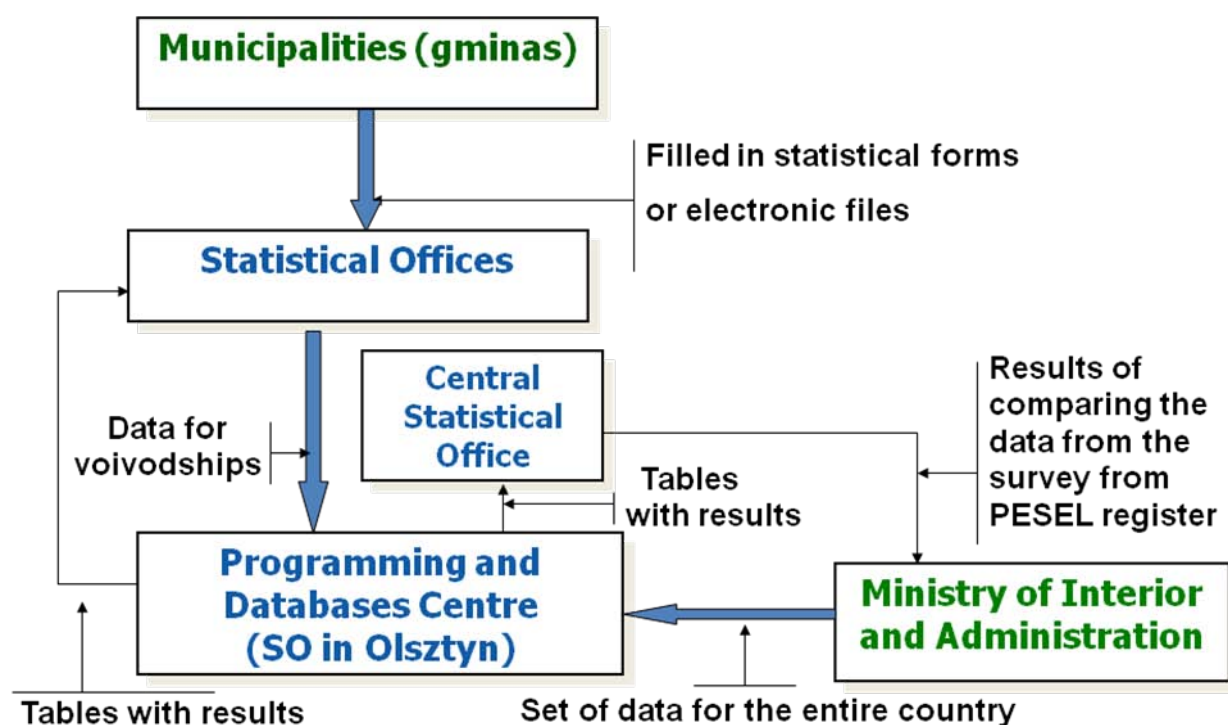


Source: CSO

Data on the persons coming from abroad, registered for temporary stay, as well as on the persons who are staying temporarily abroad is collected according to the position at the end of each year. Thus, it is data on migration resources regarding temporary migrants. This data is collected based on registration for permanent residence or temporary stay documentation from gminas, but its direct source is the statistical survey conducted by the Central Statistical Office. The survey is conducted with the use of the following statistical forms: D-W1, D-W2 and D-W3 (enclosed in Polish) or data is transmitted in the electronic form. Gminas send data to regional (in voivodship) statistical offices, and then the Poland-wide file is created. The information flow is presented in schema 2.

Data on temporary migration collected in this way covers only a small – i.e. registered part of migration, as not all immigrants register themselves for temporary stay, and even smaller percentage of persons leaving Poland report this fact in the registry units. With regard to the above, the Central Statistical Office has commenced works on estimating the actual dimension of this phenomenon (see: Chapter 6.2). Works on methodology of temporary immigration estimates are also underway.

Schema 2. Transferring statistical information on migration for temporary stay above 3 months



Source: CSO

The Central Statistical Office also collects data on migration stocks and flows using other statistical surveys, such as e.g. BAEL and EU-SILC. The latest population and housing census conducted in May 2002 provided huge amounts of information in this scope. Information on methodology of this survey is provided in Chapter 3.2 – where descriptions of the individual sources of data is included.

Poland is in possession of data on migration stocks regarding persons residing in Poland on a permanent basis as well, i.e. the Poland's population data by citizenship. Furthermore, Poland is in possession of the "permit statistics" i.e. data regarding number of various permits for stay and residence in Poland, as well as data on the number of foreign students in Poland – coming from the schools of higher education reporting, as well as on the number of work permits issued to foreigners in Poland.

The detailed scope of data the Polish statistics is in possession of is presented in the following Chapter 3.2.

3.3 Basic sources of data on migration statistics

Sources of data presented below usually provide with information on certain type of migration or on certain groups of people.

Migration for permanent residence

The main source of current data on migration for permanent residence – since 2006 – is PESEL register. Until the end of 2005 this data was prepared for the CSO by the Ministry of Interior and Administration through registration of data from registration forms transmitted there by gminas.

Scope of data:

- country of previous/next residence,
- place of present registration for permanent residence in Poland (for immigrants),
- place of registration for permanent residence in Poland before departure (for emigrants),
- date of de-registration/registration,
- sex, age, marital status and citizenship of migrant.

Until 2005 inclusive, there was also data on level of education gathered.

Migration for temporary stay (short or long-term)

The main source of current data on temporary migration is survey of the population (permanent residents of foreign countries) registered for temporary stay above 3 months, conducted by the Central Statistical Office with the use of D-W2 statistical forms (temporary immigration) and the population (permanent inhabitants of Poland) absent due to departure abroad for temporary stay above 3 months – with the use of D-W3 forms (temporary emigration).

The scope of data includes:**• immigration:**

- place of residence for temporary stay,
- previous country of residence,
- year of registration for temporary stay,
- sex, age, marital status, education and citizenship of the migrating persons,

• emigration:

- place of permanent residence in Poland,
- country of departure,
- sex and age of the migrating persons.

Data regarding immigration presents the stock of immigrants residing in Poland on temporary basis as of the end of a given year. It does not cover all immigrants, as not all immigrants register themselves for stay, therefore data on immigration reflects official and legal status.

Data regarding emigration for temporary stay shows only these persons who have reported their departure in the registry units. This obligation is satisfied only by a small percentage of persons leaving Poland for temporary stay – thus the survey does not reflect the actual scale of temporary emigration.

Additional sources of data on international migration concern i.a.:**POBYT System maintained by the Office for Foreigners contains data among others on:**

- a) EU citizens who registered their stay in the territory of the Republic of Poland,
- b) EU citizens who apply for document confirming their right to permanent residence as well as those who received such document,
- c) Family members of the EU citizens applying for residence card of the EU citizen family member as well as those who received such card,
- d) Family members of the EU citizens applying for permanent residence card of the EU citizen family member as well as those who received such document,
- e) foreigners who obtained a permit to settle and a permit to reside for a fixed period in Poland,

- f) foreigners who obtained long-term EC resident's residence permit,
- g) refugees,
- h) foreigners who obtained permit for tolerated stay,

Above mentioned data is available in presentation as disaggregated by sex and citizenship. It covers the numbers of applications submitted in the individual types of cases and the issued decisions – including the positive decisions. Data is published annually in the Office for Foreigners statistical bulletin, available in the Office's Web site. The Central Statistical Office presents the selected data in the consecutive editions of the Demographic Yearbook. Data showing the numbers of positive decisions made in the foreigners' cases is presented in the Annex.

Moreover, another additional data source on international migration should also be mentioned, which will be available for statistical purposes in 2008 in connection with planned transposition of Directive 2004/83/EC and Directive 2005/85/EC to the Polish legal order. Information will concern foreigners, who were granted permit for subsidiary protection.

- **Data of the Ministry of Interior and Administration** regarding:

- a) persons coming back to Poland under the repatriation process,
- b) persons who have acquired Polish citizenship (disaggregated by previous citizenship) as well as the persons who have lost Polish citizenship,
- c) Population of Poland disaggregated by citizenship.

The Central Statistical Office is in possession of data on persons who have returned to the country after 1996 under the process of repatriation. This information is related to:

- the number of applications for repatriate visa and applications for granting permits to settle for the repatriate's family members who are of a non-Polish nationality (until 2003, the repatriate's family members were able to apply for a permit to reside for a fixed period),
- the issued repatriate visas disaggregated by country of visa issuance and
- the number of persons and families who arrived in Poland under the repatriation process.

Ministry of Interior and Administration submits the information on the number of persons who acquired Polish citizenship during a given year as well. This information refers to all the persons who have acquired Polish citizenship in a way other than birth and repatriation – not only by way of citizenship being granted by the President of the Republic of Poland (the number of such persons is definitely the biggest), but also to citizenship granted according to other methods, stipulated under the Act on Polish Citizenship. The information is available only in presentation by former citizenship.

The Ministry of Interior and Administration submits also information on citizenship of persons who are registered for permanent residence in Poland twice a year (as of June 30 and December 31). This information is available disaggregated by sex and age.

- **Information of the Ministry of Labour and Social Policy on the foreigners who have obtained a work permit in Poland**

Data is collected based on the Ministry of Labour and Social Policy form MPiPS-04 "Report on promised and issued work permits granted to foreigners in Poland". Voivodship Offices transmit information to the statistical offices on the number of permits

granted to foreigners in Poland, covering both individual permits and permits for foreigners who have been delegated to Poland to execute export services – issued by the individual voivods in a given year.

Information related to individual permits is collected and prepared by sex and citizenship, employee groups, groups of professions, NACE section, size of enterprise and the work permit validity time.

Information related to work permits for foreigners delegated to Poland to carry out export services is collected and prepared by citizenship, NACE section, employee groups and the work permit validity time.

It should be emphasized that after Poland's accession to the EU, nationals of the European Economic Area countries who have not introduced any restrictions or have abolished the restrictions in access to the labour market for nationals of Poland, were able to take on employment in Poland without a necessity to obtain a work permit. As of 17 January 2007 – when Poland withdrew from applying the equivalent solutions – this right has been extended to all nationals of the European Economic Area countries. Other exceptions to the necessity to obtain a work permit for foreigners are set forth in Annex "Detailed analysis of national legal acts".

In view of the above, the information on the number of the issued work permits in Poland does not reflect the scale of taking on employment in Poland by foreigners.

Information regarding work permits for foreigners in Poland is included in the Annex hereto.

- **Information on foreign students in Poland**

Schools of higher education transmit to the statistical offices a lot of information on students and graduate – among them on foreigners. For this purpose, statistical form S-10 is used. Data on foreign students and graduates includes sex, age and the field of study. Information on Polish origin is available as well as information on these foreign students who have permit to settle in Poland. Data is as of November 30 each year and covers both students of state universities and other higher education schools and private ones as well. Information regarding number of foreign students studying in Poland is included in the Annex hereto.

- **Survey – based on form Z-06 – on the employed, salaries and wages and labour time – providing the information on students working in Poland**

The survey provides information on the total number of foreigners employed by enterprises with staff of more than 9. The information is available as sorted by sex and the classification NACE section and it is not possible to obtain this data as disaggregated by citizenship.

- **National Population and Housing Census 2002**

Population censuses are also sources of migration data. Especially the last census which was conducted in Poland in May 2002 provided with a lot of data on migration flows and stocks.

This data was obtained using basic form (form A) and additional form (form M), which was devoted to long-term migration. The census's forms were translated into a few languages (census's forms in English are enclosed).

The 2002 census made it possible to isolate population of persons – **permanent residents of our country who have been staying on a temporary basis abroad above 2 months.**

In most cases it was family members of these persons or persons living with them before the departure in a joint household who submitted information on these persons.

Information on emigrants' country of residence, reasons for their departure and the period of staying abroad has been collected. The question on the period of stay abroad made it possible to isolate a population of short-term emigrants – who have been staying abroad on a temporary basis for a period of 2-12 months (with a division into those staying 2-6 months and those staying 6-12 months) and long-term emigrants – who have been staying on a temporary basis 12 months and more. In addition, the year of leaving abroad was specified for long-term emigrants.

In May 2002 more than 786 thousand permanent residents of Poland were staying temporarily abroad above 2 months. Vast majority of emigrants was staying abroad a few years, but – due to not de-registering from permanent residence in Poland – were treated as persons staying temporarily abroad.

The question about the character of residence of the person covered by the census made it also possible to isolate a **population of immigrants (permanent residents of a different country) who have been staying in Poland on a temporary basis above 2 months.**

Information on the previous country of residence, reasons for departure and the period of stay in Poland has been collected. Like in the case of emigrants, short-term immigrants have been isolated (with a division into those staying for 2-6 months and those staying for 6-12 months) and long-term immigrants – those staying for 12 months and more on a temporary basis. For long-term immigrants also the year of arrival to Poland has been specified.

In the 2002 census also **the citizenship of the persons covered by the census and their country of birth were specified.** This is very useful information that has not been available for the Polish statistics before. Collection of this information allowed isolation of population of immigration origin.

Questionnaire on Migration – M Form

The selected populations of persons migrating in the years 1989-2002 were surveyed in more detail by means of a census form (M form). **The survey was dedicated to long-term migration and was a full survey.**

Questions from the questionnaire on migration were asked to persons who arrived to a given locality or returned to it (after a stay of at least one year in a different place in the country or abroad) in the years 1989-2002 and who were staying in:

- dwellings and inhabited spaces that are not dwellings,
- such collective accommodation establishments that provided services in the field of work or study, that is in workers' hostels, student hostels etc.; the survey did not cover pupils staying for purposes of study in boarding schools,
- hotels and boarding houses (these facilities were covered by the survey due to the fact that they are often inhabited by foreigners).

Of persons living on a permanent basis, the survey covered persons living on a permanent basis – present and absent for up to 12 months (staying within the country or abroad).

Of persons who have arrived on a temporary basis, the survey covered persons (who have arrived from a different place in the country or from abroad) and who have been staying in a given locality for 12 months or longer.

Both surveyed groups of migrants are classified as resident population.

The surveyed persons described their last long-term migration and a principle has been adopted stating that if a person before the last change of the place of residence in the country arrived or returned from abroad, he/she should in the first place describe international migration. The objective was to survey as many cases of international migration as possible.

Persons living on a permanent basis specified their previous place of residence and the period of staying in this place, whereas persons staying on a temporary basis specified their place of permanent residence. It could happen that a person recorded in an A census form (a basic form) as a person living on a temporary basis answered in an M form that he/she lives in the given locality on a permanent basis, as (regardless of registration formalities not completed) this is how he/she felt about it.

All persons were asked questions on the main source of maintenance in the previous/permanent place of residence and also on the reason for their change in the place of residence. **Persons who left the current place of residence and went abroad or to a different place within the home country and returned gave the reason for departure, whereas the other persons gave the reason for their arrival to the current locality.** For children who changed their place of residence along with their parents the reason for the change of their parents' place of residence was entered.

All persons also answered the question "Has your whole household changed the place of residence?" The aim of this question was to establish whether all persons forming a household had moved from the previous place of residence and it was not important whether these persons lived together in a new place.

Also information on migration plans of surveyed persons was collected. It was possible thanks to the question "Is the current place of stay your destination residence?" Persons who were of opinion that their current place was not their target place gave reasons why they would like to change it; the other indicated factors that perhaps might encourage them to further migration. All persons could give three reasons for their further or possible migration – arranging them by degree of importance.

- **Labour Force Survey (LFS – in Polish – BAEL)**

The Labour Force Survey is the sample survey. It means that the results obtained in the survey on the basis of surveying random group generalized onto the general population are representative for phenomena observed in the survey.

The basic objective of the survey is to obtain data on the size and structure of the labour force. Migration issues are surveyed additionally, however, as a subject connected with labour market.

The survey is conducted using two types of forms: The ZG Household File (intended for each household in a drawn home) and the ZD Survey intended for each person under the research, i.e. a person who is 15 years of age and older, present in a household or absent for the time not longer than 3 months.

The questions regarding migration are included in the ZG form and refer to:

- the country of origin of the surveyed persons (for persons born abroad data on the period of residence in Poland is collected),
- country of citizenship,

- place of residence one year prior to the census (in case of staying abroad, information on the country of residence is collected).

The above information is collected on all persons within a household – regardless of their age.

Furthermore, in Polish survey there has been a set of questions regarding **emigration for temporary stay** introduced. The collected data includes the number of persons (regardless of their age), who used to be members of a household and who are still in relationship with the household, who have been residing on a temporary basis abroad above 3 months. Information collected concerns:

- sex,
- age,
- level of education,
- relationship to the head of household,
- country of residence,
- period of absence (up to 1 year, 1 year or longer),
- reason for absence (work, other reasons).

Information on emigrants is obtained from other members of a household.

A household means that a team of relatives or related persons, as well as persons who are not relatives and who live together and provide maintenance in common. If any of persons living together maintains itself separately, he or she creates a separate, one-off household.

The following persons are included into household members:

- 1) persons present in the household (registered for permanent residence or temporary stay, staying above 3 months without having registered their stay or residence),
- 2) absent above 3 months (e.g. staying in sanatorium, on a business trip),
- 3) absent above 3 months, if such absence was a consequence of the character of their occupation (sailors, fishermen, land surveyors).

As of the first quarter of 2004, the survey has been extended to cover the foreigners who are members of households in the randomly drawn dwellings, if they meet the above criteria.

The BAEL survey is conducted on a quarterly basis on a sample of households in randomly drawn apartments. Quarterly samples are selected according to the rules of the so-called rotational scheme. Every quarter of the year the elementary samples are partially exchanged.

The survey is conducted by means of continuous observation (a movable week of survey). In each of the 13 weeks of a quarter, 1/13 of the sample of randomly drawn dwellings (currently amounting to 24700 flats) is surveyed. 3/4 of these dwellings take part in the survey in the next quarter, whereas 1/4 of the sample is exchanged for new one.

A sample of households under survey is relatively small. In the first quarter of 2007, 18.0 thousand households were subject to the Labour Force Survey – which is approximately 0.13% of all households in Poland.

Data on population disaggregated by citizenship and country of birth obtained in the BAEL, is not very precise (as being subjected to too big fluctuations in the consecutive quarters of the year). This data is not disseminated.

The BAEL does not fully reflect the scale of the phenomenon, as – apart from the fact that the sample of households under the survey is too low for surveying international migration – the survey does not take into account all the groups of migrating persons, e.g. the persons who have emigrated with their entire families, the persons who prior to leaving Poland had been one-person households and lived on their own, etc. This survey – in our opinion – presents the tendency and main directions of emigration well, as a consequence of which its results may be and are used for estimates of international emigration for temporary stay.

- **European Union Survey of Income and Living Conditions (EU-SILC)**

Poland joined the EU-SILC survey in 2005. The objective for introducing the survey in the EU Member States is to obtain the basic source of information comparable on the Community level on income, poverty and other aspects of population's living conditions.

The survey is conducted – as the Labour Force Survey – in households. It is conducted by means of a rotational panel on a four-year basis. The first four-year cycle comprises the years 2005-2008. In 2005, i.e. in the first year of the survey, the sample of sub-samples was utilized, and in the following years, each year, 1/4 of the sample is exchanged. The sample drawn in 2005 amounted to 24 thousand dwellings (4 sub-samples, with 6 thousand apartments in each), approx. 16 thousand households participated in the survey, i.e. about 0.12 % of all private households in Poland.

Just as in the case of the Labour Force Survey, there are 2 types of forms utilized in the EU-SILC. Questions regarding migration are included in the form for a household.

For all persons included in a household (regardless of their age) the following information is collected:

- country of birth,
- country of citizenship (in case of having citizenships of two countries, information on the second citizenship is collected),
- reason for absence (in case of a person included in a household who is staying temporarily abroad).

In addition, because of its domestic needs, Poland has introduced a question on: the total number of persons staying temporarily abroad who are or used to be prior to leaving Poland members of the household under survey disaggregated by:

- sex,
- period of staying abroad (from 3 to 12 months, 1 year or longer),
- country of residence (introduced in 2007).

The size of sample observed in the EU-SILC is not appropriate to survey international migration. Data obtained in the survey is analysed and compared with other surveys – it is not published for the time being.

- **Foreign countries data, including mirror statistics** – obtained from the statistical offices of the EU members states cooperating with Poland in this regard (Austria, the Czech Republic, Germany, Slovakia, Slovenia, Hungary), mirror statistics.

The aforementioned sources of data may be divided into:

I. Administrative sources, including;

- PESEL register
- POBYT System

II. Statistical surveys of the Central Statistical Office

- survey on population registered for temporary stay above 3 months and on population absent due to departure abroad for temporary stay above 3 months,
- population censuses,
- Labour Force Survey (LFS - BAEL),
- European Union Survey of Income and Living Conditions (EU-SILC)
- statistical survey of employed Z-06,
- statistical survey of higher education schools S-10.

III. External institutions' surveys

- survey of the Ministry of Labour and Social Policy regarding the number of work permits issued to foreigners in Poland (MPiPS 04).

IV. Mirror statistics and foreign registers and databases

3.4 Administrative data sources

3.4.1 Electronic System of Population Register (PESEL)

The population register is maintained by:

- minister – in the IT system – in the form of the PESEL register;
- voivod – in the IT system – in the form of voivodship register file;
- municipality (*gmina*) authorities – in the IT system or in the paper-file system – in the form of municipality (*gmina*) register file.

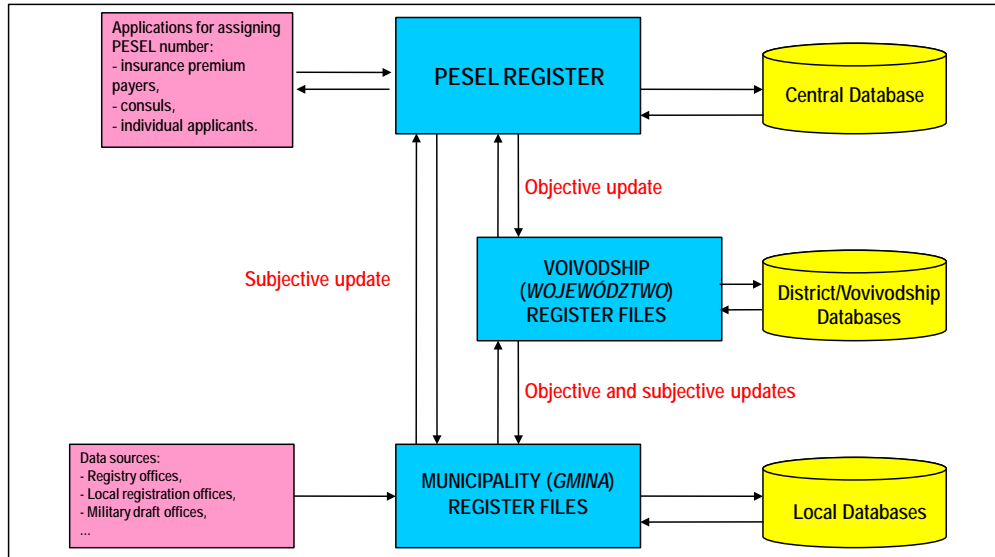
Data for subjective update of the PESEL register (assigning a PESEL number) is submitted:

- in the electronic form by:
 - ⇒ municipality authorities (*gminas*)
- in the paper form by:
 - ⇒ insurance premium payers,
 - ⇒ consuls,
 - ⇒ individual applicants.

Source of data supply in PESEL register is data collected by *gminas* on the basis of the Act on Registration of Population and Identity Cards.

Data for objective update of the PESEL register (changes in identification and address-related information) is submitted by municipality authorities via the intermediation of the voivod.

Schema 3. Current structure of PESEL register



Source: CSO, on the basis of information from the Ministry of Interior and Administration

The mandatory registration for stay or residence, as an obligation imposed on persons residing or staying in the territory of the Republic of Poland is the basis for conducting population registering (Article 2 of the Act on Registration of Population and Identity Cards). This obligation is compulsory both for Polish nationals and foreigners and covers (Article 4 of the above mentioned Act):

- 1) registering for permanent residence or temporary stay,
- 2) de-registering from permanent residence or temporary stay,
- 3) reporting a child birth,
- 4) reporting a change in marital status,
- 5) reporting a death of a person.

Obligation of registration in the place of permanent residence or temporary stay for above 3 months consists in notification in gmina – respective for the new/notified place of residence – new address of permanent residence or temporary stay. Notification should be done by the end of the fourth day following the arrival date at the latest. This obligation concerns both Polish citizens and foreigners.

Registration can be done on application of a party or ex officio. Registration ex officio is regulated in Article 14 of The Act on Registration of Population and Identity Cards and is done on the basis of birth certificate transmitted by the registry office. Whereas, registration on application of a party is done by his/her notification his/her personal and address data on form "Notification of permanent residence" or "Notification of temporary stay above 3 months". A person obliged to register for permanent residence shall submit – in gmina

respective for the new place of permanent residence – a certification of de-registration from the previous place of permanent residence.

Obligation of **de-registration** from the place of permanent residence or temporary stay consists in **notifying** in gmina – respective for the place of previous place of residence – **fact of leaving the place of permanent residence or temporary stay above 3 months** – on the day of departure from this place at the latest (Article 15 of The Act on Registration of Population and Identity Cards).

PESEL – Electronic System of Population Register has been maintained since 1973 and contains data on the persons:

- residing permanently in the territory of the Republic of Poland,
- registered for permanent residence or temporary stay above 3 months (until 2006 above 2 months),
- as well as the persons applying for issuance of an identity card or persons with regard to whom the PESEL number is obligatory under separate regulations.

This data concerns:

- (1) surname and names;
- (2) family name;
- (3) previous surnames and names;
- (4) names and family names of parents;
- (5) date and place of birth;
- (6) marital status;
- (7) number for birth certificate and marking of registry office which issued the birth certificate;
- (8) sex;
- (9) PESEL number;
- (10) citizenship (data of acquisition of Polish citizenship, date of loss of Polish citizenship);
- (11) name and family name of a spouse and the PESEL number;
- (12) date of entering into marriage, number of marriage certificate and marking of the registry office which issued the certificate, data of termination of marriage, signature of file and marking of the court that terminated the marriage, date of death of a spouse, number of death certificate and marking of the registry office that issued the certificate;
- (13) address and date of registration for permanent residence;
- (14) previous addresses of registration for permanent residence with specification of the registration period;
- (15) address of registration for temporary stay above 3 months with specification of registration period;
- (16) de-registration mode;
- (17) military rank, name, series and number of a military identification document and marking of the Military Draft Office which keeps the registration of a person or certification of attendance to the preconscription registration;
- (18) series and number of current identity card and series and numbers of previous identity cards, dates of their issue and termination dates and marking of issuing authorities;
- (19) series and number of residence card issued in relation to granting permit to settle, residence permit for long-term EC resident, permit for tolerated stay or granting refugee status in the Republic of Poland, date of issue, termination date and marking of the issuing authority;

- (20) series and number of document confirming the right of permanent residence, date of issue, termination date and marking of the issuing authority;
- (21) series and number of document for stay of family of the citizen of the European Union issued in relation to granting the residence permit within the territory of the Republic of Poland, date of issue, termination date and marking of the issuing authority;
- (22) date of death and number of death certificate, marking of the registry office that issued the certificate;
- (23) series and number of residence permit issued in relation to granting the residence permit for a specified period of time or consent for tolerated stay, date of issue, termination date and marking of the issuing authority;
- (24) date of issue, series and number of certification of residence registration of the EU citizen and marking of the issuing authority;
- (25) series and number of residence card of family of the citizen of the European Union, date of issue and marking of the issuing authority;
- (26) series and number of temporary certification of the identity of a foreigner, date of issue, termination date and marking of the issuing authority.

Assigning PESEL number (PIN)

PESEL number is an 11-digit, fixed numeric symbol for unique identification of a natural person, where the first six digits denote a date of birth (year, month, day), the following four numbers denote the sequence number and sex of a person and the last one is a control digit for computer control of correctness of the assigned registration number.

PESEL number is assigned by the minister in charge of the public administration pursuant to Article 31a and 31b of the Act on Registration of Population and Identity Cards in the form of an actual and technical official action.

PESEL number is assigned to:

- Polish nationals registered for permanent residence or temporary stay above 3 months and not registered for residence or stay, who are applying for issuance of an identity card (as requested by the respective authorities of a gmina),
- foreigners registered for permanent residence or temporary stay above 3 months in possession of a residence card (as requested by the respective authorities of a gmina),
- the Polish nationals and foreigners not registered for residence or stay who are subject to social security and health security in the territory of the Republic of Poland (upon the insurance premium payer's request),
- Polish nationals residing abroad, applying for issuance of a passport (upon a Polish consul's request).

The minister in charge of public administration may assign a PESEL number to persons other than above mentioned persons, upon their written request, if the PESEL number is obligatory for these persons under separate regulations.

As a consequence of having prepared a birth certificate for a newborn child, on the basis of a child birth report submitted in writing, the PESEL number is assigned and a new record created in the PESEL file, after which the child is registered in the local registration office respective for the place of residence of one of the child's parents.

Information updates

Pursuant to Article 44d section 1 and 2 of the Act on Registration of Population and Identity Cards the authorities maintaining register of population (an authority of a gmina, a voivod, the

minister in charge of the internal affairs) are obliged to transfer data contained in the files maintained by them among themselves. The procedure to follow in transferring data between and among the above authorities is specified in the Regulation by the Minister of Interior and the Administration of 20 December 2002 on the procedure for transfer of data between the authorities maintaining register of population as well as notifying on assigning a PESEL number (Journal of Laws No 236, item 1996).

An authority of a gmina, maintaining register of population only in the paper-file system notifies the following authorities on the changes which have been made:

- 1) a voivod – by sending certified extracts from the registry files, forms of registration for stay or residence and reporting changes in personal data, to update the regional (per voivodship) files regarding registration for stay or residence;
- 2) an authority of a gmina respective with regard to the person's place of permanent residence – on having registered this person for temporary stay above 3 months.

In case of changed place of permanent residence, an authority of gmina registering a person for permanent residence in a new place of residence notifies the authority of gmina respective with regard to the person's previous place of permanent residence on this person's new place of permanent residence. After having received the notification, the authority of gmina respective with regard to the person's previous place of permanent residence, sends the Dweller's Individual Personal Card to the authority respective with regard to the new place of permanent residence. A voivod, after having applied changes to the regional (per voivodship) files regarding registration for stay or residence, returns these documents to the respective authority of a gmina within the time not longer than 3 days since receipt of the change notification. Afterwards, the voivod notifies the minister on the introduced changes in the regional (per voivodship) files regarding registration for stay or residence in order to update the PESEL file, in the electronic form, within the time not longer than 3 days since receipt of the change notification. The Minister, after having applied changes in the PESEL file, sends confirmation of having made the changes to the respective voivod in the electronic form immediately. The reported personal data changes which have been submitted to the authorities is sent as registered mail within the time not longer than 5 days since receipt of the notification of such changes.

An authority of gmina, maintaining register of population in the IT system sends the information on changes of personal data contained in the files regarding registration for stay or residence to the voivod, in the electronic form, within the time not longer than 5 days since receipt of the notification on such changes. The voivod, after having applied changes in the regional (per voivodship) files regarding registration for stay or residence, sends the confirmation of having applied these changes to the authority of the gmina without any delay. Afterwards, he or she notifies the minister on the applied changes to update the PESEL file, in the electronic form, within the time not longer than 3 days since receipt of the change notification. The Minister, after having applied changes in the PESEL file, immediately sends a confirmation of having made the changes to the respective voivod in the electronic form.

3.4.2 POBYT System

Since 1998 a national file of foreigners' registers and lists, under the name of POBYT System, is maintained in the IT system. The system is modernised and extended with subsequent registers on an ongoing basis, such registers being maintained in accordance with the binding laws.

POBYT System enables to maintain on-line registers and lists which are specified in the law currently in force and makes it available in this way to all entitled authorities of registered data.

POBYT System is composed of the registers and lists specified below, and the software which has been implemented and is utilized live enables the state administration authorities, specified in Article 125 of the Act on Foreigners to maintain – except for the registers maintained by the consul – the following registers of the cases related to:

- 1) The following actions:
 - a) visas – maintained by Chief of a Border Guard Post, voivod, consul and Head of the Office for Foreigners, each of them respectively to their scope of responsibility;
 - b) permits to reside for a fixed period – maintained by voivod;
 - c) permits to settle – maintained by voivod;
 - d) issuance of Polish identity card of a foreigner – maintained by voivod;
 - e) issuance of temporary Polish travel documents for a foreigner – maintained by voivod and consul, each of them respectively to their scope of responsibility;
 - f) requirement to leave the territory of the Republic of Poland – maintained by Chief Commander of the Regional Police Headquarters, Commander of the District (Municipal) Police, Chief of a Border Guard Branch and Chief of a Border Guard Post, each of them respectively to their scope of responsibility;
 - g) expulsions from the Republic of Poland – maintained by voivod;
 - h) persons granted permit to enter and stay pursuant to Article 144 section 1 – maintained by Head of the Office for Foreigners;
 - j) long-term resident's EC resident permits;
 - l) issuing Polish travel documents to a foreigner – maintained by voivod;
- 2) Register of invitations – maintained by voivod;
- 3) List of the foreigners whose stay in the territory of the Republic of Poland is unwanted – maintained by Head of the Office for Foreigners;
- 4) Register in cases for granting a refugee status – maintained by Chief of a Border Guard Branch, covering the territory of the capital city of Warsaw with its range, Chief of a Border Guard Post, Head of Office and Council for Refugees, each within its scope of responsibility;
- 5) Register in cases for expulsion of persons having a refugee status – maintained by Head of Office;
- 6) Register in cases for granting an asylum – maintained by Head of Office;
- 7) Register in cases for granting permit for tolerated stay – maintained by Head of Office, voivod and Council for Refugees, each within its scope of responsibility;
- 8) Register in cases for providing with temporary protection – maintained by Head of Office;
- 9) Registers of applications and decisions in cases of granting permits to settle in the territory of the Republic of Poland as well as members of the repatriate's closest family – maintained by Head of Office;
- 10) Registers, in cases regarding EU citizens and their family members who are not the EU citizens (maintained by voivod), of:
 - a) stay of the EU citizen;
 - b) residence cards of a family member of the EU citizen;
 - c) documents certifying the right for permanent residence;
 - d) cards of permanent residence of the family member of the EU citizen.

In the proceedings and registers conducted and maintained pursuant to the Act on Foreigners, a foreigner's data specified in Article 12 section 1 and section 2 of this law may be processed. This data includes, among others, the following information:

- 1) first name (names) and last name;
- 2) former last name;
- 3) name given at birth (maiden name);
- 4) sex;
- 5) father's name;
- 6) mother's first name and maiden name;
- 7) date of birth or age;
- 8) place and country of birth;
- 9) description:
 - a) height in centimetres,
 - b) colour of the eyes,
 - c) special signs;
- 10) citizenship;
- 11) nationality;
- 12) marital status;
- 13) education;
- 14) occupation ;
- 15) place of residence or stay;
- 16) information on any judgements issued with regard to this person in administrative proceedings.

In the proceedings and registers conducted and maintained pursuant to the Act of 13 June 2003 on Granting Protection to Foreigners within the Territory of the Republic of Poland (consolidated text of 2006, Journal of Laws No 234, item 1695), a foreigner's data specified in Article 8 of this act may be processed. This data includes, among others, the following information:

- 1) first name (names) and last name;
- 2) former last name;
- 3) name given at birth (maiden name);
- 4) sex;
- 5) father's name;
- 6) mother's first name and maiden name;
- 7) date of birth or age;
- 8) place and country of birth;
- 9) country of origin;
- 10) description:
 - a) height in centimetres,
 - b) colour of the eyes,
 - c) special signs;
- 12) citizenship;
- 13) nationality;
- 14) marital status;
- 15) education;
- 16) occupation ;
- 17) place of residence or stay;
- 16) information on any judgements issued with regard to this person in administrative proceedings;

- 19) information on the results of the foreigner's verification in the central entity, pursuant to the Council's Regulation No 2725/2000/EC of 11 December 2000 on constituting the EURODAC system for comparing fingerprints for the effective application of the Dublin Convention (Official Journal of the European Union L 316 of 15 December 2000), as well as on the actions undertaken pursuant to the Convention specifying the country responsible for considering applications for asylum submitted in a European Community Member State, drawn up in Dublin on 15 June 1990 (Journal of Laws of 2005 No 24, item 194) and the Council's Regulation No 343/2003/EC of 18 February 2003, laying down the criteria and mechanisms for indicating the Member State respective to consider an application for asylum, submitted in one of the Member States by a third-country national (Official Journal of the European Union EC L 050 of 25 February 2003).

The WYKAZ module software (compliant with the provisions of Article 128, 129, 130, 131 Act of 13 June 2003 on Foreigners – Journal of Laws No 128, item 1175 with further amendments) makes it possible for the Head of the Office for Foreigners to maintain a **list of foreigners whose stay in the territory of the Republic of Poland is unwanted**.

As of 1 May 2004, the software supporting the **EURODAC** module the which has been implemented live, has been utilized to enable the registering personal data of the foreigners who have been verified using dactyloscopy as a result of illegal border crossing, illegal stay in the territory of the Republic of Poland or have applied for granting a refugee status.

Implementation of the **DUBLIN** module makes it possible to maintain the register of:

1. Applications for asylum accepted by Poland from the EU Member States;
2. Applications for asylum sent by Poland to the EU Member States;
3. Decisions issued in these cases.

– pursuant to the Council's Regulation No 343/2003/EC of 18 February 2003, laying down the criteria and mechanisms for indicating the Member State respective to consider an application for asylum, submitted in one of the Member States by a third-country national (Official Journal of the European Union EC L 050 of 25 February 2003).

In 2006, modifications to the POBYT System were introduced, as a consequence of the Act of 14 July 2006 on the Entry into, Residence in and Exit from the Republic of Poland of Nationals of the European Union Member States and their Family Members.

New registers have been created in the POBYT System – on the basis of the Act on the Entry into, Residence in and Exit from the Republic of Poland of Nationals of the European Union Member States and their Family Members (Journal of Laws No 144, item 1043) and executive regulations of the Minister of Interior and Administration:

1. Register of a **European Union national's stay** where the following information is stored:
 - a) information on the applications for registering his or her stay and exchange of the certification on stay of a EU national,
 - b) information on registration of stay,
 - c) first name, last name and professional position of an employee entering a record into the register,
 - d) information on issuance and exchange of the certification on stay of a EU national,
 - e) information on any administrative decisions, court decisions and court judgements related to the refusal and cancellation of the registration of stay;
2. Register of **residence cards of a EU national's family member** where the information on the following is stored:

- a) information on the applications for issuance and exchange of the residence card of a EU national's family member,
 - b) date of issue, number, series and expiry date of the residence card of a EU national's family member,
 - c) information on any administrative decisions, court decisions and court judgements related to the refusal and cancellation of the residence card of a EU national's family member;
3. Register of **documents confirming permanent residence right** where the following information is stored:
- a) information on the applications for issuance and exchange of the document confirming permanent residence right,
 - b) date of issue, number, series and expiry date of the document confirming a permanent residence right,
 - c) information on any administrative decisions, court decisions and court judgements related to the refusal and cancellation of the document confirming a permanent residence right;
4. Register of **permanent residence cards of a EU national's family member** where the following information is stored:
- a) information on the applications for issuance and exchange of a permanent residence card,
 - b) date of issue, number, series and expiry date of a permanent residence card of a EU national's family member,
 - c) information on any administrative decisions, court decisions and court judgements related to the refusal and cancellation of a permanent residence card of a EU national's family member;
5. Register of **issued Polish travel documents for a foreigner**, taking into account data on these documents included in the relevant registers of the POBYT System. It is possible to specify the expiry date in the relevant registers of a Polish travel document for a foreigner at the time of registering the personalization order.

The modules of RODAK and REPATRIANT are also maintained in the POBYT System.

The RODAK module software is designed to support the following registers:

- 1. candidates for repatriates;
- 2. available dwellings for repatriates;
- 3. available jobs for repatriates

The REPATRIANT module software enables the authorities to maintain the following registers and in the IT system:

- 1. register of permits to settle, maintained by the Head of Office for Foreigners,
- 2. register of accepting persons as a repatriates.

In 2006, the UCHODŹCA module was implemented. The software of the module enables the employees of the Bureau of Organization of Centres for Foreigners applying for Refugee Status or Asylum to register the foreigners in the centres and register the benefits granted by the Head of Office for Foreigners on an ongoing basis.

In 2006, the 'Central register of information on the acquired and lost Polish citizenship' was created as well. The register is maintained using a telecommunications and IT platform of the POBYT System (under the working name of OBYWATELSTWO).

In 2007, the IT system was expanded with the consecutive register of refused entries into the territory of the Republic of Poland. The register shall be utilized by chiefs of the Border Guard posts.

POBYT System shall cooperate with the Schengen II IT System (SIS II), the Visa Information System (VIS) as well as with the visa consultation system.

Polish statistics does not have direct access either to database of POBYT System or to SIS and VIS. However, we count on possibility of generating by gestors reports which contain data required by the Regulation No 862/2007 of the EP and of the Council.

4. Analysis of the requirements of the Regulation (EC) No 862/2007 of the European Parliament and of the Council

The subsequent chapter deals with the analysis of the requirements according to the Regulation. All the requirements are described successively in individual lines as follows:

1. availability of data from statistical or non-statistical sources or based on estimates **A** - available, **NA** – not available, **AE** – estimates
2. data already provided in the required structure or not provided **P** – provided, **NP** – not provided
3. description of the current status of statistics production
4. plan of fulfilling the requirements of the Regulation
5. institution responsible for data collection and data processing

Article 3

Statistics on international migration, usually resident population and acquisition of citizenship

The statistics shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within 12 months of the end of the reference year. The first reference year shall be 2008.

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

(a) immigrants moving to the territory of the Member State, disaggregated as follows:

(i) groups of citizenship by age and sex

	Groups of citizenship	Age	Sex
1.	A	A	A
2.	P	P	P
3.	Data currently available and sent to the Eurostat is from PESEL register and concerns only immigration for permanent residence. This migration fulfils definition criteria of the Regulation but does not cover total immigration which lasts at least 12 months, due to not fulfilling registration obligation.		
4.	Data will be estimated with use of data on registration, results of statistical surveys and information on the number of permits for residence granted to foreigners in Poland.		
5.	Data collection – MIA, CSO Data processing – CSO		

(ii) groups of country of birth by age and sex

	Groups of country of birth	Age	Sex
1.	NA	NA	NA
2.	NP	NP	NP
3.	<p>Sending this data was not required so far.</p> <p>The Act on Registration of Population and Identity Cards which is currently in force does not require giving country of birth while registering for permanent residence or temporary stay. That is why this information is not gathered in PESEL register; whereas, information on place of birth is gathered.</p>		
4.	<p>It is planned to:</p> <ul style="list-style-type: none"> • try to code country of birth on the basis of information on place of birth for data of 2008; in case of impossibility of determining country of birth of immigrants, Poland will deliver estimated data. • extend the scope of data gathered in PESEL register by "country of birth" – since 2009. <p>In order to achieve this aim it is necessary to amend the Act on Registration of Population and Identity Cards as well as Regulation of the Ministry of Interior and Administration of 24 December 2002 on notifying and carrying data necessary to register and deregister as well as on registering of population and of issued and lost identity cards (Journal of Laws No 236, item 1999 with further amendments).</p> <p>The necessity of gathering data on country of birth in PESEL register was reported to the MIA by the CSO.</p>		
5.	<p>Data collection – MIA Data processing – CSO</p>		

(iii) groups of country of previous usual residence by age and sex

	Groups of country of previous usual residence	Age	Sex
1.	A	A	A
2.	P	P	P
3.	<p>Data currently available and sent to the Eurostat concerns only immigration for permanent residence. This migration fulfils definition criteria of the Regulation but does not cover total immigration which lasts at least 12 months, due to not fulfilling registration obligation.</p>		
4.	<p>Data will be estimated with use of data on registration, results of statistical surveys and information on the number of permits for residence granted to foreigners in Poland.</p>		
5.	<p>Data collecting – MIA, CSO Data processing and estimates – CSO</p>		

(b) emigrants moving from the territory of the Member State disaggregated as follows:

(i) groups of citizenships

	Groups of citizenships
1.	A
2.	P
3.	Data currently available and sent to the Eurostat is from PESEL register and concerns only emigration for permanent residence. This migration fulfils definition criteria of the Regulation but does not cover total emigration which lasts at least 12 months.
4.	Data on emigration for temporary stay is very lowered because vast majority of people departing abroad for temporary stay do not notify this fact in gmina. Due to the fact that – in case of Poland – the number of people departing temporarily abroad is significant and that available sources of data provide with information only on a small part of this phenomenon, it is necessary to estimate data on emigration for temporary stay for at least 12 months (see: Chapter 8 on analysis of the size and directions of migration). Such estimates will be done.
5.	Data collection – MIA, CSO Data processing and estimating – CSO

(ii) Age

As above mentioned – point b (i).

(iii) Sex

As above mentioned – point b (i).

(iv) Groups of countries of next usual residence

As above mentioned – point b (i).

(c) persons having their usual residence in the Member State at the end of the reference period, disaggregated as follows:

	Groups of citizenship	Age	Sex
1.	A	A	A
2.	P	P	P
3.	Data on population of Poland by citizenship are currently sent to the Eurostat. Population of Poland covers persons registered in Poland for permanent residence. Therefore, emigrants, who stay temporarily abroad (did not deregister from permanent residence in Poland) are also covered – whatever the period of stay abroad is. Moreover, immigrants who stay in Poland temporarily (do not have permanent residence in Poland) are not covered – whatever the period of stay is. Data on population is compiled using balanced method – taking as a basis the results of the last census and taking into account vital and migration statistics in the next years. Data on foreigners by citizenship is from PESEL register.		
4.	Data for 2008 will be sent according to the definition mentioned above. The basis of information on citizenship will be PESEL register. Actions will be undertaken in order to send – in the following years – data on population		

	according to the requirements of the Regulation. If available data sources do not provide such data, it will be estimated.
5.	Data collection – MIA, CSO Data processing – MIA, CSO

	Groups of country of birth	Age	Sex
1.	NA	NA	NA
2.	NP	NP	NP
3.	Data not available. The Act on Registration of Population and Identity Cards which is currently in force does not require gathering information on country of birth in PESEL register. Information on place of birth is gathered.		
4.	<p>It is necessary to gather information on country of birth in PESEL register. Therefore, it is necessary to amend the following acts:</p> <ol style="list-style-type: none"> 1) Act of 10 April 1974 on Registration of Population and Identity Cards (Journal of Laws of 2006 No 139, item 993 with further amendments), 2) Act of 29 September 1986 – Law on Certificates of Civil Status (Journal of Laws of 2004 No 161, item 1688 with further amendments), 3) Regulation of the Ministry of Interior and Administration of 24 December 2002 on notifying and carrying data necessary to register and deregister as well as on registering of population and of issued and lost identity cards (Journal of Laws No 236, item 1999 with further amendments), 4) Regulation of the Ministry of Interior and Administration of 26 October 1998 on detailed rules of drawing up certificates of civil status, the way of keeping birth, marriage and death registers, their duplicates, certificates and protocols (Journal of Laws No 136, item 884 with further amendments). <p>Gathering data on country of birth will concern people included in PESEL register after amending above mentioned acts. The problem is to attribute country of birth to persons, of which information in PESEL register already exists, but the names of countries do not correspond with International Standard ISO 3166-1:1997: Codes for symbolising names of countries.</p> <p>Data on population by country of birth for 2008-2010 will come from the Labour Force Survey or will be estimated on the basis of the census 2002, the BAEL and the EU-SILC.</p> <p>Precise data will be obtained in the census of 2011.</p>		
5.	Data collection – MIA, CSO Data processing – MIA, CSO		

(d) persons having their usual residence in the territory of the Member State and having acquired during the reference year the citizenship of the Member State and having formerly held the citizenship of another Member State or a third country or having formerly been stateless, disaggregated by age and sex, and by the former citizenship of the persons concerned and by whether the person was formerly stateless.

	Former citizenship	Age	Sex
1.	A	A	A
2.	P	NP	NP

3.	Data on acquisition of Polish citizenship by former citizenship is available and sent to the Eurostat. Data by sex and age was not required so far and therefore it is not compiled. However, it is gathered and can be compiled.
4.	It is necessary to prepare appropriate reports in the IT system, which will enable to generate statistical data by former citizenship, sex and age of persons.
5.	Data collection – MIA Data processing – MIA

Article 4

Statistics on international protection

The additional disaggregation for statistics required under Article 4 is the year in which the application for international protection was submitted.

Statistics will be available. Works on modernisation of POBYT System are ongoing.

Monthly statistics

*These statistics relate to reference periods of one calendar month and shall be supplied to the Commission (Eurostat) within two months of the end of the reference month. The first reference month shall be **January 2008**.*

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

(a) persons having submitted an application for international protection or having been included in such an application as a family member during the reference period;

	Persons having submitted an application for international protection or having been included in such an application as a family member	Age	Sex	Citizenship
1.	A	A	A	A
2.	P	P	P	P
3.	<p>The following registers are run in the IT system:</p> <ul style="list-style-type: none"> – on granting refugee status (with subsidiary protection – since the Act the Change of the on Granting Protection to Foreigners within the Territory of the Republic of Poland and on the Change of other Acts comes into force – second quarter of 2008), – on granting asylum, – on granting permit for tolerated stay, – on granting temporary protection. <p>POBYT System is prepared to generate statistical data by sex, age and citizenship. Monthly data sent to the Eurostat is from POBYT System.</p>			
4.	<ul style="list-style-type: none"> – amendment of the Act on Granting Protection to Foreigners within the Territory of the Republic of Poland introduces a new kind of international protection – subsidiary protection. The application for granting refugee status will be considered in parallel with an application for granting subsidiary protection, – modernisation of POBYT System. 			
5.	Office for Foreigners			

(b) persons who are the subject of applications for international protection under consideration by the responsible national authority at the end of the reference period

	Persons who are the subject of applications for international protection under consideration by the responsible national authority	Age	Sex	Citizenship
1.	A	NA	NA	A
2.	NP	NP	NP	P
3.	<p>The following registers are run in the IT system:</p> <ul style="list-style-type: none"> – on granting refugee status (with subsidiary protection – since the Proposal of the Act the Change of the on Granting Protection to Foreigners within the Territory of the Republic of Poland and on the Change of other Acts comes into force – second quarter of 2008), – on granting asylum, – on granting permit for tolerated stay, – on granting temporary protection. 			
4.	Currently, works on preparation of templates of reports which will enable to generate statistics regarding the number of persons who are the subject of applications for international protection under consideration by the responsible national authority by sex and age are ongoing (actions underway).			
5.	Office for Foreigners			

(c) applications for international protection having been withdrawn during the reference period.

	Applications for international protection having been withdrawn during the reference period.	Age	Sex	Citizenship
1.	A	A	A	A
2.	P	P	P	P
3.	<p>The following registers are run in the IT system:</p> <ul style="list-style-type: none"> – on granting refugee status (with subsidiary protection – since the Proposal of the Act the Change of the on Granting Protection to Foreigners within the Territory of the Republic of Poland and on the Change of other Acts comes into force – second quarter of 2008), – on granting asylum, – on granting permit for tolerated stay, – on granting temporary protection. <p>Currently, it is possible to prepare statistical data on the number of people who withdrew application in the reference period (statistics are generated on the basis of decisions issued and legal basis).</p>			
4.				
5.	Office for Foreigners			

Quarterly statistics

*These statistics relate to reference periods of three calendar months and shall be supplied to the Commission (Eurostat) within two months of the end of the reference period. The first reference period shall be **January to March 2008**.*

2. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

(a) **persons covered by first instance decisions rejecting applications for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies during the reference period;**

	Persons covered by first instance decisions rejecting applications for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies	Age	Sex	Citizenship
1.	A/NA	A/NA	A/NA	A/NA
2.	P/NP	P/NP	P/NP	P/NP
3.	The Proposal of the Act the Change of the on Granting Protection to Foreigners within the Territory of the Republic of Poland introduces new kinds of decisions i.e. discontinuance of legal proceedings due to inadmissibility of application.			
4.	Addition of new dictionaries concerning issued decision and legal basis.			
5.	Office for Foreigners			

(b) **persons covered by first instance decisions granting or withdrawing refugee status, taken by administrative or judicial bodies during the reference period;**

	Persons covered by first instance decisions granting or withdrawing refugee status, taken by administrative or judicial bodies.	Age	Sex	Citizenship
1.	A	A	A	A
2.	P	P	P	P
3.	There are decisions on granting or withdrawing refugee status registered in the IT system. POBYT System is prepared to generate statistical data by sex, age and citizenship. Information on withdrawing refugee status was not covered by monthly statistics so far.			
4.	Addition of new dictionaries concerning issued decision and legal basis (since The Proposal of the Act the Change of the on Granting Protection to Foreigners within the Territory of the Republic of Poland comes into force).			
5.	Office for Foreigners			

(c) persons covered by first instance decisions granting or withdrawing subsidiary protection status, taken by administrative or judicial bodies during the reference period;

	Persons covered by first instance decisions granting or withdrawing subsidiary protection status, taken by administrative or judicial bodies during the reference period	Age	Sex	Citizenship
1.	NA	NA	NA	NA
2.	NP	NP	NP	NP
3.				
4.	Register on granting subsidiary protection status will be run in the IT system. System will be prepared to generate statistical data on persons covered by decisions granting or withdrawing subsidiary protection status (since The Proposal of the Act the Change of the on Granting Protection to Foreigners within the Territory of the Republic of Poland comes into force in the second quarter of 2008).			
5.	Office for Foreigners			

(d) persons covered by first instance decisions granting or withdrawing temporary protection, taken by administrative or judicial bodies during the reference period;

	Persons covered by first instance decisions granting or withdrawing temporary protection, taken by administrative or judicial bodies	Age	Sex	Citizenship
1.	A	A	A	A
2.	P	P	P	P
3.	Register on granting temporary protection is run in the IT system. POBYT System is prepared to generate statistical data by sex, age and citizenship.			
4.				
5.	Office for Foreigners			

(e) persons covered by other first instance decisions granting or withdrawing authorisation to stay for humanitarian reasons under national law concerning international protection, taken by administrative or judicial bodies during the reference period.

	Persons covered by other first instance decisions granting or withdrawing authorisation to stay for humanitarian reasons under national law concerning international protection, taken by administrative or judicial bodies.	Age	Sex	Citizenship
1.	A	A	A	A
2.	P	P	P	P
3.	Currently, decisions on granting permit for tolerated stay are kept in registers of: – granting refugee status (with subsidiary protection – since the Proposal of the Act the Change of the on Granting Protection to Foreigners within the Territory of the Republic of Poland and on the Change of other Acts comes into force – second quarter of 2008),			

	<ul style="list-style-type: none"> – granting permit for tolerated stay, – granting permit for residence for a fixed period, – expulsion from the Republic of Poland. <p>POBYT System is prepared to generate statistical data by sex, age and citizenship.</p>
4.	
5.	Office for Foreigners

Yearly statistics

These statistics relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

3. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

(a) **applicants for international protection who are considered by the responsible national authority to be unaccompanied minors during the reference period;**

	Applicants for international protection who are considered by the responsible national authority to be unaccompanied minors.	Age	Sex	Citizenship
1.	A	A	A	A
2.	P	P	P	P
3.				
4.	Works of modernisation of POBYT System are ongoing. There is a possibility of registration of circumstances when applying for refugee status – it should be clearly indicated that an applicant was an accompanied minor. Currently, there is a possibility of preparation these statistics through comparing date of birth with the date of application submission.			
5.	Office for Foreigners			

(b) **persons covered by final decisions rejecting applications for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies in appeal or review during the reference period;**

	Persons covered by final decisions rejecting applications for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies in appeal or review	Age	Sex	Citizenship
1.	NA	NA	NA	NA
2.	NP	NP	NP	NP
3.				
4.	Modernisation works of POBYT System are ongoing. Final decision will be clearly indicated.			
5.	Office for Foreigners			

(c) persons covered by final decisions granting or withdrawing refugee status taken by administrative or judicial bodies in appeal or review during the reference period;

	Persons covered by final decisions granting or withdrawing refugee status taken by administrative or judicial bodies in appeal or review	Age	Sex	Citizenship
1.	NA	NA	NA	NA
2.	NP	NP	NP	NP
3.				
4.	Modernisation works of POBYT System are ongoing. Final decision will be clearly indicated.			
5.	Office for Foreigners			

(d) persons covered by final decisions granting or withdrawing subsidiary protection status taken by administrative or judicial bodies in appeal or review during the reference period;

	Persons covered by final decisions granting or withdrawing subsidiary protection status taken by administrative or judicial bodies in appeal or review	Age	Sex	Citizenship
1.	NA	NA	NA	NA
2.	NP	NP	NP	NP
3.				
4.	Modernisation works of POBYT System are ongoing. Final decision will be clearly indicated.			
5.	Office for Foreigners			

(e) persons covered by final decisions granting or withdrawing temporary protection taken by administrative or judicial bodies in appeal or review during the reference period;

	Persons covered by final decisions granting or withdrawing temporary protection taken by administrative or judicial bodies in appeal or review.	Age	Sex	Citizenship
1.	NA	NA	NA	NA
2.	NP	NP	NP	NP
3.				
4.	Modernisation works of POBYT System are ongoing. Final decision will be clearly indicated.			
5.	Office for Foreigners			

(f) persons covered by other final decisions, taken by administrative or judicial bodies in appeal or review, granting or withdrawing authorisations to stay for humanitarian reasons under national law concerning international protection during the reference period;

	Persons covered by other final decisions, taken by administrative or judicial bodies in appeal or review, granting or withdrawing authorisations to stay for humanitarian reasons under national law concerning international protection	Age	Sex	Citizenship
1.	NA	NA	NA	NA
2.	NP	NP	NP	NP
3.				
4.	Modernisation works of POBYT System are ongoing. Final decision will be clearly indicated.			
5.	Office for Foreigners			

(g) persons who have been granted an authorisation to reside in a Member State within the framework of a national or Community resettlement scheme during the reference period, where such a scheme is implemented in that Member State.

	Persons who have been granted an authorisation to reside in a Member State within the framework of a national or Community resettlement scheme	Age	Sex	Citizenship
1.	NA	NA	NA	NA
2.	NP	NP	NP	NP
3.	System is not prepared to generate statistical data on persons who have been granted an authorisation to reside in a Member State within the framework of a national or Community resettlement scheme. There is no definition of "resettlement scheme" in the Polish law. This scheme is not applied in Poland.			
4.				
5.				

Dublin statistics

The additional disaggregation for statistics required under Article 4(4) concerns number of persons concerned by the request, decision and transfer.

Data is currently available within the framework of the module "Reports of POBYT System". There is no need to modernise the system or to introduce any changes in the national law.

These statistics shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

4. Member States shall supply to the Commission (Eurostat) the following statistics on the application of Regulation (EC) No 343/2003 and Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 [13]:

(a) the numbers of requests for taking back or taking charge of an asylum seeker;

	The number of requests for taking back or taking charge of an asylum seeker
1.	A
2.	NP
3.	There is information on requests for taking back or taking charge of an asylum seeker registered in the IT system. System is prepared to generate statistical data.
4.	Works on modernisation of POBYT System as well as preparation of functions which will enable to generate larger scope of statistical data i.e. by countries which application is transferred to (procedure "OUT") are underway.
5.	Office for Foreigners

(b) the provisions on which the requests referred to in point (a) are based;

	The provisions on which the requests referred to in point (a) are based.
1.	NA
2.	NP
3.	This data was not required so far. There are provisions registered in the IT system. System is prepared to generate statistical data.
4.	Works on modernisation of POBYT System as well as preparation of functions which will enable to generate larger scope of statistical data i.e. by countries which application is transferred to (procedure "OUT") are underway.
5.	Office for Foreigners

(c) the decisions taken in response to the requests referred to in point (a);

	The decisions taken in response to the requests referred to in point (a)
1.	A
2.	NP
3.	There are decisions registered in the IT system. System is prepared to generate statistical data.
4.	Works on modernisation of POBYT System as well as preparation of functions which will enable to generate larger scope of statistical data i.e. by countries which application is transferred to (procedure "OUT") are underway.
5.	Office for Foreigners

(d) the numbers of transfers to which the decisions referred to in point (c) lead;

	The numbers of transfers to which the decisions referred to in point (c) lead
1.	A
2.	NP
3.	This data was not required so far. There is number of transfers to which the decisions lead registered in the IT system. System is prepared to generate statistical data.
4.	Works on modernisation of POBYT System as well as preparation of functions which

	will enable to generate larger scope of statistical data i.e. by countries which application is transferred to (procedure "OUT") are underway.
5.	Office for Foreigners

(e) **the number of requests for information;**

	The number of requests for information
1.	NA
2.	NP
3.	System is prepared to generate statistical data.
4.	Works on modernisation of POBYT System as well as preparation of functions which will enable to generate larger scope of statistical data i.e. by countries which application is transferred to (procedure "OUT") are underway.
5.	Office for Foreigners

Article 5

Statistics on the prevention of illegal entry and stay

The additional disaggregations for statistics required under Article 5(1)(a) concern sex and age; for statistics required under Article 5(1)(b) they concern grounds for apprehension and place of apprehension.

There is a possibility to compile statistics according to additional disaggregation for (a) and for (b).

These statistics shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

(a) third-country nationals refused entry to the Member State's territory at the external border;

The statistics under point (a) shall be disaggregated in accordance with Article 13(5) of Regulation (EC) No 562/2006.

	Third-country nationals refused entry to the Member State's territory at the external border	Citizenship	Reason for refusal	Kind of border
1.	A	A	A	NA
2.	NP	NP	NP	NP
3.	There is register on refused entry to the Republic of Poland run in the IT system. Currently, there is a possibility to prepare statistics on foreigners refused entry to the Member State's territory by sex, citizenship and age. Since 2000 data has been sent by the National Headquarters of Border Guards in the monthly table CIREFI M1.			
4.	Modernisation of POBYT System is ongoing (extension or addition of new dictionaries – concerning indication of kind of border (land, sea, air)).			
5.	the National Headquarters of Border Guards, the Office for Foreigners			

(b) **third-country nationals found to be illegally present in the Member State's territory under national laws relating to immigration.**

	Third-country nationals found to be illegally present in the Member State's territory under national laws relating to immigration.	Age	Sex	Citizenship
1.	A	A	A	A
2.	NP	NP	NP	NP
3.	<p>There is register on expulsion from the territory of the Republic of Poland run in the IT system (no information on place of apprehension). System is prepared to generate statistics concerning persons who were granted decision on expulsion by sex, age and citizenship. Data has been sent in the monthly table of CIREFI M2 so far (i.e. until the Regulation No 862/2007 of the EP and of the Council came into force). Data covered the number of foreigners: apprehended by the Border Guards for trying to do or having done illegal crossing of the border, apprehended within the control of legality of residence (i.e. within the joint actions with the Police and other services).</p>			
4.	Modernisation of POBYT System is ongoing (there is a possibility to register place of apprehension).			
5.	Office for Foreigners and the National Headquarters of Border Guards			

Article 6

Statistics on residence permits and residence of third-country nationals

Yearly statistics

Additional statistics required under Article 6 concern: year in which residence permit was granted for the first time; age; sex.

Currently, it is possible to give all the required statistics.

These statistics shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within six months of the end of the reference year. The first reference year shall be 2008.

1. Member States shall supply to the Commission (Eurostat) statistics on:

(a) **the number of residence permits issued to persons who are third-country nationals, disaggregated as follows:**

(i) **permits issued during the reference period whereby the person is being granted permission to reside for the first time, disaggregated as follows**

	Residence permits issued	Citizenship	Reason for the permit being issued	Length of validity of the permit
1.	NA	NA	NA	NA
2.	NP	NP	NP	NP
3.				
4.	Modernisation of POBYT System is ongoing.			
5.	Office for Foreigners			

(ii) permits issued during the reference period and granted on the occasion of a person changing immigration status or reason for stay, disaggregated as follows:

	Residence permits issued and granted on the occasion of a person changing immigration status or reason for stay	Citizenship	Reason for the permit being issued	Length of validity of the permit
1.	NA	NA	NA	NA
2.	NP	NP	NP	NP
3.				
4.	Modernisation of POBYT System is ongoing.			
5.	Office for Foreigners			

(iii) valid permits at the end of the reference period (number of permits issued, not withdrawn and not expired), disaggregated as follows:

	Valid residence permits	Citizenship	Reason for the issue of the permit	Length of validity of the permit
1.	A	A	NA	NA
2.	NP	NP	NP	NP
3.				
4.	Modernisation of POBYT System is ongoing.			
5.	Office for Foreigners			

(b) the number of long-term residents at the end of the reference period, disaggregated as follows:

	Persons with long-term residence	Citizenship
1.	A	A
2.	P	P
3.	Data available and sent to the Eurostat as yearly statistics.	
4.		
5.	Office for Foreigners	

Note:

Where the national laws and administrative practices of a Member State allow for specific categories of long-term visa or immigration status to be granted instead of residence permits, counts of such visas and grants of status are to be included in the statistics required under paragraph 1.

Article 7

Statistics on returns

The additional disaggregations required under Article 7 concern: reason for the decision or act imposing an obligation to leave; sex; age.

The only problem might concern the legal basis of the decision (there might be a few of reasons and acts imposing an obligation to leave when considering one decision). After the amendment of the Act on Foreigners and modernisation of POBYT System (2008) this data will be available. Other statistics (age and sex) are currently available.

These statistics shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

Yearly statistics

1. Member States shall supply to the Commission (Eurostat) statistics relating to:

(a) **the number of third-country nationals found to be illegally present in the territory of the Member State who are subject to an administrative or judicial decision or act stating or declaring that their stay is illegal and imposing an obligation to leave the territory of the Member State, disaggregated as follows:**

	The number of third-country nationals found to be illegally present in the territory of the Member State who are subject to an administrative or judicial decision or act stating or declaring that their stay is illegal and imposing an obligation to leave the territory of the Member State.	Citizenship of the persons concerned
1.	A	A
2.	NP	NP
3.	It has not been sent so far. System is prepared to generate statistical data.	
4.		
5.	Office for Foreigners	

(b) **the number of third-country nationals who have in fact left the territory of the Member State, following an administrative or judicial decision or act, as referred to in point (a), disaggregated by the citizenship of the persons returned.**

	The number of third-country nationals who have in fact left the territory of the Member State, following an administrative or judicial decision or act, as referred to in point (a).	Citizenship of the persons concerned
1.	NA	NA
2.	NP	NP
3.		
4.	Works on preparation of templates of reports which will enable to generate statistics regarding the number of people who have in fact left the territory of the Member State by citizenship are ongoing.	
5.	Office for Foreigners	

Note:

The statistics referred to in paragraph 1 shall not include third-country nationals who are transferred from one Member State to another Member State under the mechanism established by Regulations (EC) No 343/2003 and (EC) No 1560/2003.

Article 8

Additional disaggregations

The Commission may adopt measures relating to the definition of additional disaggregations.

These additional disaggregations are presented in details in the respective articles above.

Note:

The additional disaggregations mentioned in paragraph 1 shall be supplied only separately, and not cross-classified with the disaggregations required under Articles 4 to 7.

5. Actions undertaken within the Project

5.1 Study visit in the Federal Statistical Office in Wiesbaden – Germany

Objective of the visit:

Germany is one of the major countries receiving emigrants from Poland and – at the same time – a country from which most immigrants come to Poland for permanent residence. Due to the fact that these migration flows are treated in different ways in the statistics of both countries, it was indispensable to start co-operation of the Polish Central Statistical Office (CSO) with the Federal Statistical Office (FSO) of Germany in order to explain the occurred differences. That is why – in the schedule of the Project 'Improving the quality and availability of international migration statistics' – such visit of representatives of the CSO in the FSO has been planned.

The study visit took place in 4-5 December 2006 in Wiesbaden. Due to the fact that one of the major causes of differences in data is the application of different methodologies in migration statistics of these countries, the study visit was to a great extent devoted to learning about the methods applied in German migration statistics (definitions, data sources, system of registration of foreigners).

Another objective was to exchange experiences related to adjustments of the national methodology to the requirements of the European Union.

Moreover, the visit was aimed at initiation of co-operation between the Statistical Offices from Germany and Poland, among others in the field of exchange of data referring to international migration.

Major discussion topics and presented stances:

At the beginning, a review was made of the available Polish and German data on international migration between the two countries. There were differences detected in data presented by the statistics of both countries and an attempt was made to determine their causes. **A thorough analysis covered the methodology applied in Poland and Germany.** The discussion concerned, firstly, the migration-related definitions; secondly, the population registration systems (of citizens of the country, of citizens of other EU countries, of third country nationals); and finally, sources of data on international migration. Also other issues were referred to, such as the issue of double citizenship or population estimates. During the meeting also an exchange of data on migration between Poland and Germany took place. Finally, the rules for the future co-operation between the statistical offices of both countries were discussed.

A) Definitions applied in German statistics:

- **A foreigner** is defined as a person who is not a citizen of Germany. That category includes also stateless persons, as well as persons with unknown citizenship. Citizens of Germany, who have also a citizenship of another country, are not included in this category.
- **An immigrant** is every person who has arrived in the territory of Germany and has registered his/her residence (even if he/she has another place of residence abroad). Duration of the residence is of no significance.
- **Emigrant** is a person who has reported his/her departure from Germany (has de-registered).

- **International migration** is an arrival in the territory of Germany/departure from Germany abroad related to registration/de-registration of the place of residence. No criterion of duration of residence/absence.

It is assumed that Germany is the main place of residence of every person who has arrived from abroad and has registered in the local registration office – even if actually his/her main place of residence is abroad.

B) Population registration system in Germany:

In case of arrival from abroad, it is necessary to register in the local registration office respective for the new place of residence. Moreover, third country nationals have to register in the Local Foreigners Office. There are about 650 local foreigners offices.

While changing the place of residence due to departure abroad it is necessary to de-register from the current place of residence.

Flow of information on migration

Copies of registration forms are sent to the Statistical Office of the Land, respective for the place of occurrence – there is no central register or a central database based on data from the local registers (in Poland – PESEL). These offices work out data for Lands. This data is also transmitted to the Statistical Office in Macklenburg-Vorpommern, which compiles annual data for the whole country and transfers them to the FSO.

Notes:

- Lands may have their own specific regulations concerning registration, within the confines of the general federal law.
- There is no differentiation into short-term and long-term migrants.
- Each person has his/her individual code in a given local register, which however changes along with the change of the place of residence for another – subordinate to another office. Every register – with some exceptions – is characterized by a different coding system (in Poland there is one centralized PESEL register and each person has an individual PESEL number – regardless of the place of residence).

C) Data sources:

Administrative data from local registers

In local registers the following information on migration is gathered:

- date of arrival – migration,
- last and present place of residence,
- place of birth,
- citizenship(s).

Central Register of Foreigners

The main source of data on foreigners is the Central Register of Foreigners, which is kept by the Federal Agency for Migration and Refugees. The persons registered here are both the European Union citizens and third country nationals, whose stay in the territory of Germany is longer than 3 months.

The Central Register of Foreigners is also supplied with information concerning arrivals and departures (coming from local registration offices), vital statistics (from the Civil Registry

Offices), as well as other administrative data (e.g. on applications for asylum, naturalization). Naturalized persons are deleted from the register.

That register provides information on migration stocks by citizenship, place of birth (Germany/ abroad), length of stay in the territory of Germany as well as by the kind of permit for stay.

An excerpt from the register of 31 December of each year is transmitted to the FSO.

Microcensus

Microcensus, a part of which is the Labour Force Survey (BAEL), is carried out every year on a sample of 370 000 households. It is a very expanded survey – the form includes over 140 questions (answers to some of them are voluntary). Among questions on migration there are questions on:

- place of birth (Germany/abroad; in case of birth abroad the year of arrival in Germany shall be given),
- citizenship,
- the way of acquiring citizenship (in case of naturalization the year of German citizenship acquisition and previous citizenships shall be given),
- country of origin (voluntary),
- citizenship of parents,
- place of residence one year before the census (voluntary),

Notes:

Another population census is planned for 2011. It is to be based on registers: 5400 registers is to be inter-related. Moreover, for the purpose of verification of the authenticity of data, it is planned to carry out a survey that will provide additional information. That survey is to cover 10% of population (individual interviews).

D) Other issues:

Estimates of the size of population

Current estimates of the size of population are carried out on the basis of the last population census of 1987 for the former FRG and the excerpt from the Central Population Register of 3 October 1990 for the former GDR. This data is systematically updated on the basis of the balance of births and deaths, arrivals and departures, naturalization or changes of citizenships, marriages, separations and divorces.

In these estimates, population having their main place of residence in Germany – including all immigrants who have registered their stay in the territory of Germany – is taken into account.

These estimates are prepared every month (in Poland they are prepared quarterly).

Data on population is worked out by: sex, age and marital status as divided into Germans and foreigners.

Citizenship-related issues

In Germany Lands are responsible for implementation of regulations concerning the citizenship, whereas the legislative competence concern only central-level bodies. Applications for naturalization are investigated by the local authorities. Only in case of naturalizations from abroad applications are investigated at the central level.

There are a few ways of acquiring German citizenship, inter alia by birth, adoption (with respect to minors), repatriation and naturalization. By way of naturalization citizenship may be acquired after 8 years of residence in the territory of Germany, having fulfilled a few general conditions, inter alia it is required to display a positive attitude towards the federal state and to know the German language.

In exceptional situations a double citizenship may be held. Firstly, a basis for having more than one citizenship may be a bilateral agreement concluded with another country (e.g. with France); secondly, in the situation when in the territory of Germany there is a citizen of a country, national law of which does not provide for an option of renouncing the citizenship (e.g. Argentina).

Available data on naturalization are aggregated by:

- previous citizenship,
- citizenship retained after naturalization,
- legal basis for the citizenship acquisition,
- age,
- sex,
- place of residence at the moment of citizenship acquisition,
- duration of stay in Germany.

Seasonal workers from Poland in Germany

A seasonal worker in Germany obtains a permit for maximum 4 months.

In Germany, in 2005 there were 257 509 work permits for foreigners – seasonal workers issued, among whom the Poles accounted for over 96%.

Results of the meeting

It was decided to continue co-operation between the FSO of Germany and the CSO of Poland in the scope of international migration data exchange.

Findings and remarks from the meeting

Gathering data on international migration is a very difficult task. Due to increasing scale of this phenomenon – connected with the possibility of free movement of persons – it is necessary to improve different methods of surveying migration. In order to improve the quality and availability of data on international migration in Poland, coming into and maintaining contact with statistical offices of particular countries of the EU is very beneficial and should be continued.

5.2 Working meeting with representatives of the Eurostat

The topic of the working meeting was gathering by the CSO data concerning international migration in the light of the Proposal of Regulation of the Council and European Parliament on Community statistics on migration and international protection.

Major discussion topics, stances presented, findings and commitments:

- A) The major topic of the talks was analysis of the Articles of the Proposal of Regulation with a view to sources and dates of data availability in Poland within the scope required by the Regulation. Special attention was paid to Article 3 of the Regulation

"Statistics on international migration, usually resident population and acquisition of citizenship".

B) Sources of data on migration in Poland have been discussed:

- PESEL register,
- POBYT System,
- Survey on temporary migration carried out every year by the CSO,
- Labour Force Survey and its migration module.

C) Also the issues related to estimates of the scale of emigration from Poland were discussed. Sources of data on migration – indispensable for carrying out correct estimates – were presented (results of the National Census 2002, survey on temporary migration, Labour Force Survey, data of the Ministry of Labour and Social Policy, mirror statistics).

D) Data quality was evaluated in the context of methodological proposals of the Eurostat.

E) Discussion was undertaken about questionnaire on migration sent on an annual basis to the Eurostat (Joint Questionnaire on International Migration Statistics). The talks concerned the completeness of data sent by Poland, the way of sending them and problems connected therewith.

F) Also plans were presented with respect to the future of Polish migration statistics – in particular the survey on immigrants in Poland, which will be carried out in 2008.

5.3 Working Group for gathering and exchange of statistics

Within the Party for Migration Matters – established on the strength of the Regulation No 12 of Prime Minister of 14 February 2007 in order to assure i.a. coordination of agreements and tasks done by different governmental bodies in the scope of migration – Group for gathering and exchange of statistics has been set up. It is to support and supplement actions taken by other groups established within the Party. Vice President of the CSO leads the tasks of the mentioned Group.

Tasks of the Group for gathering and exchange of statistics:

1. Harmonization of creation and processing of statistical data in the area of migration,
2. Development of a statistical system, adequate for dynamically developing migration.

Within these two main tasks there are detailed tasks defined:

1. Review of legal regulations in the context of needs of the international migration statistics, especially in the context of the EU Regulation on migration statistics and international protection,
2. Development of proposed amendments to the currently applicable legal provisions in the field of migration,
3. Inspection of the scope and availability of information contained in diverse registers and administrative systems as the possible sources of information for international migration statistics.
4. Developing methodology of estimates with taking advantage of already existing sources and designing new surveys,

5. In order to increase the quality of national statistical data as regards migration, an analysis of data from available statistical and non-statistical sources (national and international), with particular reference to the mirror statistics,
6. Further development of the system of international migration survey with reference to the national needs – in particular in the context of activation of the national migration policy – and in connection with fulfilment of international commitments.

5.4 Co-operation with the Partners within the Project No 12

Regardless of some formal and legal obstacles which occurred during the Project co-operation with the Partners of the Project was continued. It was aimed at working out joint standpoints and plans of future actions. The following activities were taken up by the CSO with the key actors ie. the Ministry of Interior and Administration, the Office for Foreigners and the Ministry of Labour and Social Policy in the production of migration statistics - during the realisation of the Project No 12:

- i) requested documentation was signed by future Partners at the beginning of the Project (it has concerned *Intention letter* and *Solemn declaration and Annex1 Other third parties involved in carrying out the action for which a grant is being requested*) - within the Project No 12 TF 2004
- ii) close essential co-operation with the Office for Foreigners and the Ministry of Interior and Administration during the elaboration of the Report on improving the quality and availability of migration statistics
- iii) common preparation the transposition of the Regulation 862/2007 into the Polish legal procedures

6. Polish activities towards the improvement of quality and international comparability of migration statistics

6.1 Additional surveys concerning migration planned for 2008

Due to high dynamic of changes of international migration phenomenon – especially for temporary stay – as well as due to difficulties in gathering current data on it, it is necessary to conduct additional statistical surveys.

Surveys on temporary immigration, which are currently conducted, do not let us know what the real scale of this phenomenon is, because not all immigrants register themselves in gminas. Moreover, the scope of data obtained in gminas is insufficient.

The results of the National Population and Housing Census, as of 2002 concerning the number of immigrants staying temporarily in Poland occurred to be underrated. Moreover, data from the census are becoming out of date. Therefore, there is a necessity to establish what the present immigration stock in Poland is.

In relation to this, it is planned to conduct statistical surveys on immigration in Poland in 2008.

In the second quarter of 2008 in Poland – as in other EU countries – there will be a survey called "Labour market situation of migrants and their immediate descendants" carried out – as a module to the BAEL. Poland will conduct it in a light version. Apart from obligatory questions (resulting from "Commission Regulation No 102/2007 of 2 February 2007 adopting the specifications of the 2008 ad hoc module on the labour market situation of migrants and their immediate descendants") there are some additional questions introduced which resulted from national needs.

Additionally – as a complementary survey to the above mentioned one – there will be a survey conducted in collective living quarters called "Immigrants in Poland", carried out also in the second quarter of 2008.

The objective of the survey is to collect information on the number and demographic and social features of immigrants staying in collective living quarters – which are not covered by the BAEL survey. By combining results of both surveys it will be possible to learn what the size of immigration stock in Poland is.

The results of the survey will be used to develop annual estimates of the number of immigrants and the number of long-term immigration in the following years, until the population census in 2011.

The survey will embrace persons – immigrants, in the straight majority foreigners, who actually stay or intend to stay in Poland for over 3 months, and at the time of the survey (May 2008) they stay in the territory of collective living quarters of the following types:

- 1) dormitories,
- 2) boarding houses,
- 3) workers' hotels,
- 4) nursing homes,
- 5) hotels (motels), in which foreigners may stay above 3 months,
- 6) other objects, including tourist objects, in which foreigners may stay, e.g. night shelters for homeless, camping cottages, etc.,

- 7) other places, not being collective living quarter, which also are not dwellings, in which there are actually – which is implied by the area inspection – foreigners staying (e.g. holiday cottages, garages, outbuildings, etc.).

It will be a target survey – objects to the survey will be earlier recognized if there reside any foreigners there. Then, a list of such objects will be made.

The following information is to be gathered in this survey:

- general information: sex, marital status, education level, country of permanent residence, country of birth and citizenship of immigrant as well as country of birth of his/her parents; when having Polish citizenship – way of its acquisition and
- information concerning stay of immigrant in Poland: duration of stay in Poland, reason for arrival to Poland, status on labour market, occupation and place of work of working persons (selected NACE sections) as well as immigrant's opinion on the level of his/her knowledge of Polish language.

Probably it will not always be possible to obtain all information. In these cases an attempt will be made learn what the number of immigrants residing in particular object is and what their country of origin is.

The results will be complemented with administrative data on foreigners residing in centres for refugees, in which survey will not be conducted.

Forms to be used in both surveys have already been prepared. It is also planned to prepare different language versions of the forms (English, German, Russian) as well as in others – according to needs – which results from the possibility of obtaining data directly from respondents in a way of self census. The forms used in the population census 2002 are enclosed in the Annex.

6.2 Estimates of international short and long-term migration – prepared by the CSO

Poland is carrying out methodology work on preparing the method of estimates of the number of Poles staying temporarily abroad as well as the immigrants staying temporarily in Poland due to the fact that the scale of international temporary migration – in particular migration from Poland – has explicitly risen, and the existing sources of information do not reflect the actual dimensions of this phenomenon.

In 2007, the estimated number of inhabitants of Poland staying temporarily abroad was prepared, including staying in particular EU countries – as of the end of the year in 2004-2006.

While estimating temporary emigration different sources were applied. The basis for estimates was the results of population census 2002. For estimates of the number of emigrants from Poland temporarily staying abroad above 2 months, the domestic and international sources were applied. The results of the estimates of emigration of Poles to abroad are presented in Chapter 8.

Among national sources the following should be mentioned:

1. The results of the Labour Force Survey which shows the trend and major directions of emigration. It should be stressed that results of the survey cannot be used straight, as it does not fully reflects the scale of the phenomenon (the sample of households embraced with the survey is too small for analysing international migration; moreover the BAEL does not cover all groups of migrants, e.g. persons who have emigrated with the whole families, emigrants – persons forming one-person households – residing on their own, etc.;

2. Survey on population absent due to departure abroad for temporary stay above 3 months – carried out by the CSO as of 31 December every year. The survey covers only these persons, who formally – in the place of their stay – have reported their departure for temporary residence abroad. That survey does not reflect the scale of the phenomenon either, but it portrays well the trends and structure of emigration by countries;

3. Data of the Ministry of Labour and Social Policy on the number of work permits issued to Poles in individual countries.

Among international sources of data the following should be mentioned:

administrative sources, registers and mirror statistics of the countries where majority of Polish citizens emigrate to. These are in particular:

1. Data on the number of persons registered in the Worker Registration Scheme (WRS) maintained by Home Office of the United Kingdom;
2. Data on the number of persons holding the National Insurance Number in the United Kingdom;
3. Information on assigned PPS numbers (Personal Public Service Number) in Ireland;
4. Mirror statistics of Germany and other countries, taking sometimes into account not fully comparable definitions of migrant.

7. Plan of improvement of the quality of international migration statistics

The basic objectives of the Project were:

1. Enlargement and improvement of the co-operation with the institutions having statutory obligation to collect data on migration and international protection statistics;
2. Improvement of use of existing data sources;
3. Improvement of quality of data gathered for statistical purposes in view of national and international needs;
4. Creation of the background aimed at acquiring in the future migration data that is still not available now.

The assumed aims stressed in the Project No 12 have been achieved but some problems were noticed during its realisation. The final Report which has been prepared in co-operation with the Ministries responsible for statistics on migration and international protection. This Report presents the review of a wide variety of data sources (statistical and non-statistical) which currently exist in Poland and gives some comments on possibility their using and improvement. It seems two directions should be concerned in relation to the short, medium and long-term objectives and their effects.

1) Implications for Polish legal order

The object proposal of this Regulation does not require adoption of provisions of the Regulation into the legal order of Poland. However, in order to be able to fulfil all the requirements of the Regulation, changes in national acts are required. Transposition of the EU Regulation to the Polish legal order will require changes in the following acts:

1. Act on Registration of Population and Identity Cards
2. Act on Foreigners
3. Law on Certificates of Civil Status
4. Act on Granting Protection to Foreigners within the Territory of the Republic of Poland

as well as implemented regulations to some national acts.

2) Modernization of POBYT System (register of foreigners' affairs) and PESEL register (Electronic System of Population Register)

The CSO has prepared a description of current state of availability of data on migration and simultaneously indicated the need to broaden the scope of necessary information – to be gathered in PESEL register. This broadening results from the demand for data on migration from the national recipients, as well as from the need of fulfilling international commitments.

It was also suggested that it is necessary to change some acts – especially The Act on Registration of Population and Identity Cards, which regulates obligation of registration in Poland. It was emphasized that it is extremely necessary to collect data on country of departure when de-registering from the place of permanent residence due to departure abroad. Currently, this information is given on voluntary basis, which may result (and does result) in underrating data on emigration for permanent residence.

It is also necessary to give information on the intended time of stay/absence in order to separate migration for stay for one year and more, according to the definition of the new EU Regulation.

Currently the works of modernization the POBYT System are ongoing. It assumes that since 2009 the mentioned System will be adapted in fully.

3) Improvement of migration statistics

The size of movements of Poles to foreign countries and foreigners to Poland after 2004 and a difficult situation on the Polish labour market resulted in certain action aiming at development of rules of the migration policy and improvement of the migration statistics quality. There are the following activities:

- 1) Poland established a national Migration Team managed by the head of the Ministry of Interior and Administration; the Team aims at development of assumptions for implementation of the national international migration policy with particular consideration of the areas concerning: immigration of foreigners, emigration of Poles, re-emigration of Poles from abroad, prevention of illegal migration, integration of foreigners in Poland and migrations statistics, improvement of its quality and availability of data;
- 2) Establishment of working group for data collection and international migration statistics exchange at GUS (the group consists of representatives of governmental administration and central offices who have one common objective – the improvement of broadly understood operation of migration statistics);
- 3) Launching of governmental programmes which can directly influence the scale and direction of spatial mobility of Poles;
- 4) Target development of bilateral cooperation with the EU Member States and the third countries which are the target countries of emigration for Poles or the countries of origins of the immigrants from Poland.

8. Analytical part: size of migration, types and directions of international population movements

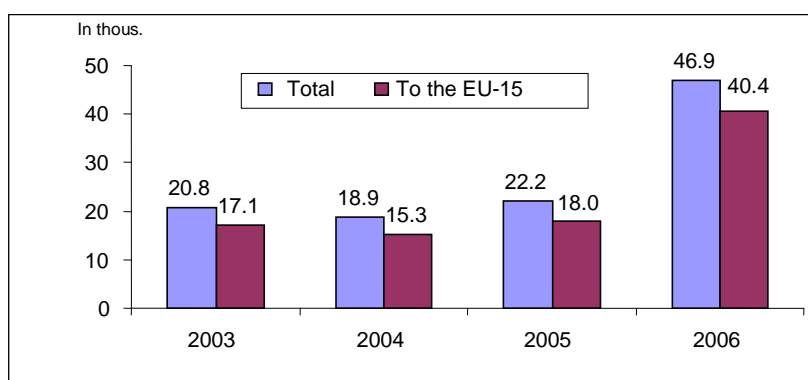
Dimension of migration from/to Poland

In this chapter, results of the current survey on migration in Poland shall be presented to depict the scale of emigration from Poland and to Poland.

Emigration

In spite of the fact that Poland has been a country of emigrants for decades now, after 2004, emigration significantly increased. This conclusion results from permanent migration analysis i.e. emigration abroad for permanent residence (see: diagram 1) which is only a small part of the actual movements.

Diagram 1. Emigration from Poland for permanent residence in 2003-2006



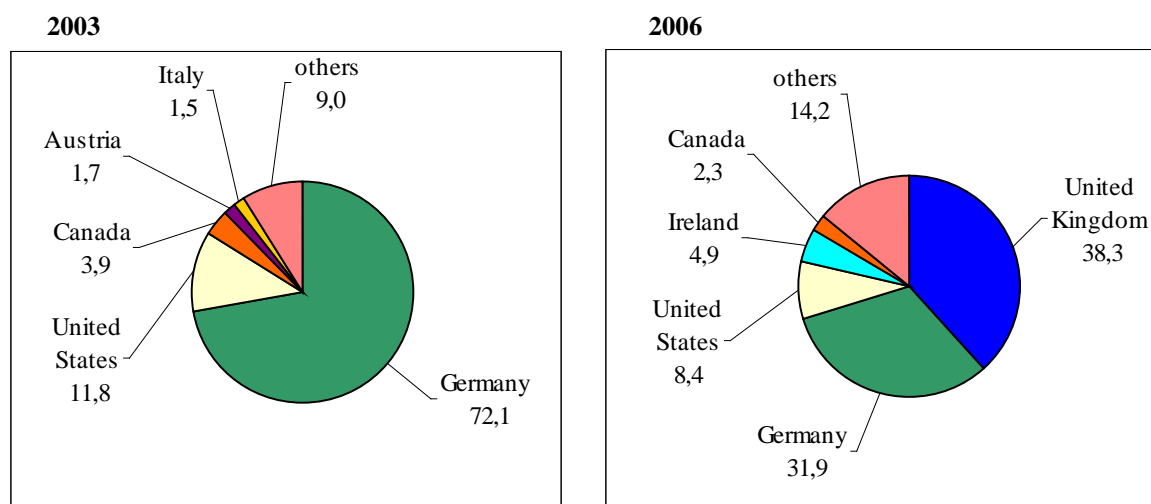
Source: Administrative data concerning de-registrations from permanent residence due to departure abroad from Poland for permanent residence. Since 2006, the PESEL register has been the source of data.

Apart from the changed scale, the direction of emigration has explicitly changed as well. Germany which was the main direction for the Polish emigration due to being in close proximity and due to other circumstances, still remains a significant country, but in 2006 it gave way to the United Kingdom. The Poles emigrate to the United States and Canada relatively less often, but Ireland has become an important destination. The basic cause of this situation is of course the opening of labour markets in the European countries and the opportunity for improvement the material situation of Polish families by working in the countries which are not so far away. Changes in direction of permanent emigration are presented in diagram 2.

There has recently been an upsurge in temporary migration which is usually related to employment. Thanks to better and better opportunities for cheap travelling, people choose temporary stay and employment abroad – without having to decide to leave their country of origin definitely. Only a small part of temporary departures change into permanent residence abroad after some time.

Diagram 2. Emigration from Poland for permanent residence in 2003 and 2006 by country of destination

(in % of total number of emigrants)



Source: Administrative data concerning de-registrations from permanent residence due to departure abroad from Poland for permanent residence. Since 2006, the PESEL register has been the source of data.

The dynamics of emigration for temporary stay is much bigger than in case of emigration for permanent residence. Results of the latest population and housing census conducted in Poland in 2002 showed that at the time of the census, more than 786 thousand of permanent residents of Poland were staying abroad above 2 months. Presumably, many of these persons treated this stay as permanent as a considerable part of them had been staying abroad for many years (these persons had not de-registered from the place of permanent residence in Poland yet and thus were treated as persons staying abroad temporarily). Poland – as other countries – is not in possession of a perfect source of data on temporary migration after 2002, however, there are surveys which results show significant growth of this type of migration.

On the basis of a cyclical survey conducted by the Central Statistical Office on population registered for temporary stay above 3 months and on population absent due to departure abroad for temporary stay above 3 months, covering – unfortunately – only these persons who reported the fact of their departure abroad in registry units, one may state that in 2006 almost three times more people were abroad than in 2003. Results of other surveys indicate to a similar dynamics of changes as well.

Direction of temporary emigration has changed as well. Analysis of the above-mentioned survey shows that it is the United Kingdom which is the main direction of temporary emigration, taking the position which had for many years been occupied by Germany. Also Ireland and the Netherlands have an important position in this respect.

As it has been mentioned before, the main reason for temporary emigration of Poles is willingness to undertake work. Analyses of the WRS (Worker Register Scheme) statistics functioning in the UK show that Poles are the biggest group of employees from the "new" EU Member States undertaking work in this country – 65%. A similar percentage of employees from Poland is registered in Ireland.

According to the Central Statistical Office estimates, at the end of 2006, approx. 1.95 million Poles (approx. 1 million at the end of 2004 and 1.5 million at the end of 2005) were staying temporarily abroad (these persons have not de-registered from permanent residence

in Poland). It is estimated that approx. 1.6 million persons who had previously lived in Poland, have stayed in other European countries. It is extremely difficult to estimate the emigration flows of the Poles who have left Poland after labour markets was opened for the new EU Member States, i.e. after 1 May 2004, but such estimates shall be indispensable and shall be prepared in the future.

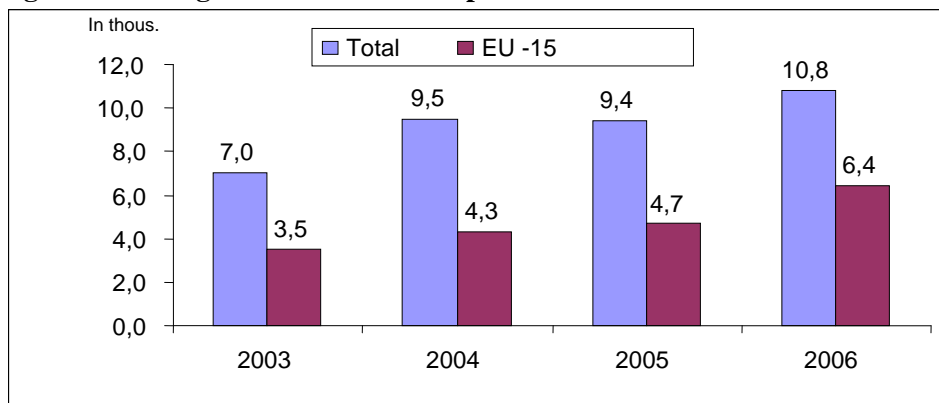
Among the countries of destination for emigration of Poles after accession to the EU – in view of the scale of this phenomenon – the United Kingdom and Germany are definitely the first, in spite of the fact that the German labour market is still closed for the Poles. The Central Statistical Office estimates indicate to the fact that at the end of 2006, approx. 580 thousand Poles were staying in the United Kingdom, while in Germany this figure was approx. 450 thousand. The subsequent positions were taken by: Ireland (approx. 120 thousand Poles), Italy (approx. 85 thousand) and the Netherlands (55 thousand). Taking into account the dynamics of the emigration scale – Ireland and the United Kingdom stand out definitely. The majority of Polish emigrants who have left from May 2004 until end of 2006 is staying abroad with the intention to undertake work (80-90%).

Poland is a country of great migration traditions. Our country has been and is – at least for the period of several to more than ten years – a base of employment migration reserve. In the period of transformation, the Polish employment abroad has re-focused in terms of geographical destinations – to the direction of Western European countries. In the 1990s, proportions between non-formal temporary migration for earning money and permanent migration, i.e. for permanent residence, clearly reversed. After a period of predominantly permanent emigration, the model of leaving the country for temporary work has come back. This model has intensified after accession to the EU and seems to be stable for several subsequent years.

Immigration

Immigration to Poland for permanent residence is much lower than emigration, as a result of which Poland has a negative balance of international migration. The scale of this phenomenon is presented in diagram 3.

Diagram 3. Immigration to Poland for permanent residence in 2003-2006



Source: CSO

This immigration flows are predominantly returns of the Poles who have left our country before (de-registered from permanent residence in Poland).

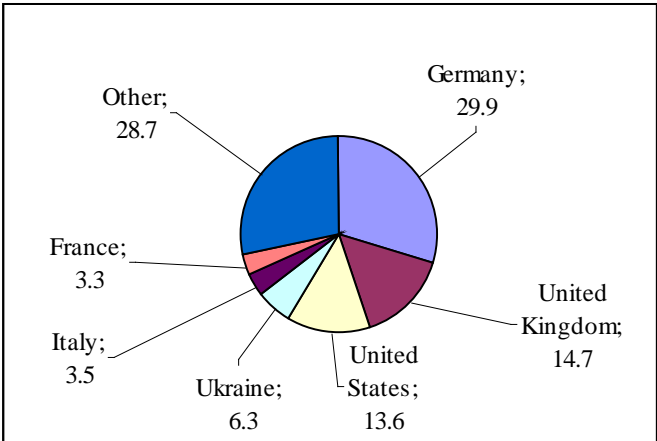
Most of the immigrants are coming from Germany (in 2006, nearly 30% of immigrants in total) and from the United States, i.e. the countries which had been the main destinations for Polish emigration. The definite majority of these immigrants, as well as the ones coming from Italy and France, have Polish citizenship. In 2006, a big percentage of arrivals from the

United Kingdom was seen (nearly 15%), while this figure was less than 5% in 2005. It should be presumed that growth in the number of returns is an effect of increased emigration to the United Kingdom.

A relatively big percentage of immigrants from Ukraine is an effect of registering the persons, who had stayed temporarily in Poland, for permanent residence. Vast majority of these persons are citizens of Ukraine.

Diagram 4. Immigration to Poland for permanent residence in 2006 by country of previous residence of immigrants

(in % of total number of immigrants)



Source: CSO

The main directions of immigration for temporary stay in Poland are different from the directions of immigration for permanent residence. Out of 40.7 thousand persons who had come from abroad and at the end of 2006 were registered in Poland for temporary stay above 3 months, nearly 11 thousand – i.e. more than 1/4 of the total number were immigrants from Ukraine. Further positions are taken by persons who had come from Germany, Belarus and Vietnam. More than 92% of all immigrants are foreigners.

This is the official data – prepared based on registration for permanent registering in gminas. The actual immigration stock seems to be much bigger, as not all immigrants meet the obligation of registering for residence or stay.

9. ANNEX

9.1 Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers

31.7.2007

EN

Official Journal of the European Union

L 199/23

REGULATION (EC) No 862/2007 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 July 2007

on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285(1) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽²⁾,

Whereas:

(1) The conclusions of the Justice and Home Affairs Council of 28-29 May 2001 considered, regarding common analysis and the improved exchange of statistics on asylum and migration, that there is a need for a comprehensive and coherent framework for future action on improving statistics.

(2) In April 2003, the Commission released a Communication to the Council and to the European Parliament, setting out an Action Plan for the collection and analysis of Community Statistics in the field of migration. This included a number of important changes designed to improve the completeness and degree of harmonisation of these statistics. Under the Action Plan, the Commission aimed to propose legislation on Community statistics on migration and asylum.

(3) The Thessaloniki European Council of 19 and 20 June 2003 concluded that more effective mechanisms were needed for the collection and analysis of information on migration and asylum in the European Union.

(4) The European Parliament in its resolution of 6 November 2003 ⁽³⁾ on the abovementioned Communication from the Commission noted that legislation was required to

ensure the production of comprehensive statistics necessary for the development of fair and effective Community policies on migration. The resolution supports the Commission's plans to propose legislation for migration and asylum statistics.

(5) Enlargement of the European Union has brought an added geographical and political dimension to the scale of the phenomena associated with migration. It has also brought a further impetus to the demand for accurate, timely and harmonised statistical information. There is also an increasing need for statistical information regarding the profession, education, qualifications and type of activity of migrants.

(6) Harmonised and comparable Community statistics on migration and asylum are essential for the development and monitoring of Community legislation and policies relating to immigration and asylum, and to the free movement of persons.

(7) There is a need to reinforce the exchange of statistical information on asylum and migration and to improve the quality of Community statistical collections and outputs which have, hitherto, taken place on the basis of a series of 'gentlemen's agreements'.

(8) It is essential that information be available, throughout the European Union, for the purposes of monitoring the development and implementation of Community legislation and policy. In the main, current practice does not sufficiently ensure, in a uniform manner, regular, timely and rapid delivery and dissemination of harmonised data.

(9) This Regulation does not cover estimates of the number of persons illegally resident in the Member States. Member States should not provide such estimates or data on such persons to the Commission (Eurostat), although they may be included in population stocks due to surveys.

(10) Wherever possible, the definitions used for the purposes of this Regulation are taken from the United Nations Recommendations on Statistics of International Migration, the United Nations Recommendations for the Censuses of Population and Housing in the ECE Region or EC legislation, and should be updated following the relevant procedures.

⁽¹⁾ OJ C 185, 8.8.2006, p. 31.

⁽²⁾ Opinion of the European Parliament of 14 March 2007 (not yet published in the Official Journal) and Council Decision of 12 June 2007.

⁽³⁾ OJ C 83 E, 2.4.2004, p. 94.

- (11) New Community needs on statistics on migration and asylum render obsolete the provisions of Council Regulation (EEC) No 311/76 of 9 February 1976 on the compilation of statistics on foreign workers ⁽¹⁾.
- (12) Regulation (EEC) No 311/76 should therefore be repealed.
- (13) Since the objective of this Regulation to establish common rules for the collection and compilation of Community statistics on migration and international protection cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (14) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics ⁽²⁾ constitutes the reference framework for the provisions of this Regulation. In particular, it requires conformity to standards of impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality.
- (15) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽³⁾.
- (16) In particular, the Commission should be empowered to update the definitions, to decide on the groupings of data and additional disaggregations and to lay down the rules on accuracy and quality standards. Since those measures are of general scope and are designed to amend non-essential elements of this Regulation and to supplement it by the addition of new non-essential elements, they should be adopted in accordance with the regulatory procedure with scrutiny laid down in Article 5a of Decision 1999/468/EC.
- (17) The Statistical Programme Committee, established by Council Decision 89/382/EEC, Euratom of 19 June 1989 establishing a Committee on the Statistical Programmes of the European Communities ⁽⁴⁾, has been consulted in accordance with Article 3 of that Decision.

⁽¹⁾ OJ L 39, 14.2.1976, p. 1.

⁽²⁾ OJ L 52, 22.2.1997, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and the Council (OJ L 284, 31.10.2003, p. 1).

⁽³⁾ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

⁽⁴⁾ OJ L 181, 28.6.1989, p. 47.

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation establishes common rules for the collection and compilation of Community statistics on:

- (a) immigration to and emigration from the Member State territories, including flows from the territory of one Member State to that of another Member State and flows between a Member State and the territory of a third country;
- (b) the citizenship and country of birth of persons usually resident in the territory of the Member States;
- (c) administrative and judicial procedures and processes in the Member States relating to immigration, granting of permission to reside, citizenship, asylum and other forms of international protection and the prevention of illegal immigration.

Article 2

Definitions

1. For the purposes of this Regulation, the following definitions shall apply:
 - (a) 'usual residence' means the place at which a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage or, in default, the place of legal or registered residence;
 - (b) 'immigration' means the action by which a person establishes his or her usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country;
 - (c) 'emigration' means the action by which a person, having previously been usually resident in the territory of a Member State, ceases to have his or her usual residence in that Member State for a period that is, or is expected to be, of at least 12 months;
 - (d) 'citizenship' means the particular legal bond between an individual and his or her State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation;

- (e) 'country of birth' means the country of residence (in its current borders, if the information is available) of the mother at the time of the birth or, in default, the country (in its current borders, if the information is available) in which the birth took place;
- (f) 'immigrant' means a person undertaking an immigration;
- (g) 'emigrant' means a person undertaking an emigration;
- (h) 'long-term resident' means long-term resident as defined in Article 2(b) of Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents ⁽¹⁾;
- (i) 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty, including stateless persons;
- (j) 'application for international protection' means application for international protection as defined in Article 2(g) of Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted ⁽²⁾;
- (k) 'refugee status' means refugee status as defined in Article 2(d) of Directive 2004/83/EC;
- (l) 'subsidiary protection status' means subsidiary protection status as defined in Article 2(f) of Directive 2004/83/EC;
- (m) 'family members' means family members as defined in Article 2(i) of Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national ⁽³⁾;
- (n) 'temporary protection' means temporary protection as defined in Article 2(a) of Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof ⁽⁴⁾;
- (o) 'unaccompanied minor' means an unaccompanied minor as defined in Article 2(i) of Directive 2004/83/EC;
- (p) 'external borders' means external borders as defined in Article 2(2) of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) ⁽⁵⁾;
- (q) 'third-country nationals refused entry' means third-country nationals who are refused entry at the external border because they do not fulfil all the entry conditions laid down in Article 5(1) of Regulation (EC) No 562/2006 and do not belong to the categories of persons referred to in Article 5(4) of that Regulation;
- (r) 'third-country nationals found to be illegally present' means third-country nationals who are officially found to be on the territory of a Member State and who do not fulfil, or no longer fulfil, the conditions for stay or residence in that Member State;
- (s) 'resettlement' means the transfer of third-country nationals or stateless persons on the basis of an assessment of their need for international protection and a durable solution, to a Member State, where they are permitted to reside with a secure legal status.
2. Member States shall report to the Commission (Eurostat) on the use and probable effects of estimations or other methods of adapting statistics based on national definitions to comply with the harmonised definitions set out in paragraph 1.
3. For the reference year 2008, the statistics supplied to the Commission (Eurostat) under this Regulation may be based on alternative (national) definitions. In such cases, Member States shall notify the Commission (Eurostat) of these alternative definitions.
4. If a Member State is not bound by one or more of the legal texts referred to in the definitions in paragraph 1, statistics comparable with those required under this Regulation should be provided by that Member State where they can be provided under existing legislative and/or administrative procedures.

Article 3

Statistics on international migration, usually resident population and acquisition of citizenship

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:
- (a) immigrants moving to the territory of the Member State, disaggregated as follows:
- (i) groups of citizenship by age and sex;
- (ii) groups of country of birth by age and sex;
- (iii) groups of country of previous usual residence by age and sex;

⁽¹⁾ OJ L 16, 23.1.2004, p. 44.

⁽²⁾ OJ L 304, 30.9.2004, p. 12.

⁽³⁾ OJ L 50, 25.2.2003, p. 1.

⁽⁴⁾ OJ L 212, 7.8.2001, p. 12.

⁽⁵⁾ OJ L 105, 13.4.2006, p. 1.

- (b) emigrants moving from the territory of the Member State disaggregated as follows:
- (i) groups of citizenships;
 - (ii) age;
 - (iii) sex;
 - (iv) groups of countries of next usual residence;
- (c) persons having their usual residence in the Member State at the end of the reference period, disaggregated as follows:
- (i) groups of citizenship by age and sex;
 - (ii) groups of country of birth by age and sex;
- (d) persons having their usual residence in the territory of the Member State and having acquired during the reference year the citizenship of the Member State and having formerly held the citizenship of another Member State or a third country or having formerly been stateless, disaggregated by age and sex, and by the former citizenship of the persons concerned and by whether the person was formerly stateless.

2. The statistics referred to in paragraph 1 shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within 12 months of the end of the reference year. The first reference year shall be 2008.

Article 4

Statistics on international protection

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:
- (a) persons having submitted an application for international protection or having been included in such an application as a family member during the reference period;
 - (b) persons who are the subject of applications for international protection under consideration by the responsible national authority at the end of the reference period;
 - (c) applications for international protection having been withdrawn during the reference period.

These statistics shall be disaggregated by age and sex, and by the citizenship of the persons concerned. They shall relate to reference periods of one calendar month and shall be supplied to the Commission (Eurostat) within two months of the end of the reference month. The first reference month shall be January 2008.

2. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

- (a) persons covered by first instance decisions rejecting applications for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies during the reference period;
- (b) persons covered by first instance decisions granting or withdrawing refugee status, taken by administrative or judicial bodies during the reference period;
- (c) persons covered by first instance decisions granting or withdrawing subsidiary protection status, taken by administrative or judicial bodies during the reference period;
- (d) persons covered by first instance decisions granting or withdrawing temporary protection, taken by administrative or judicial bodies during the reference period;
- (e) persons covered by other first instance decisions granting or withdrawing authorisation to stay for humanitarian reasons under national law concerning international protection, taken by administrative or judicial bodies during the reference period.

These statistics shall be disaggregated by age and sex, and by the citizenship of the persons concerned. They shall relate to reference periods of three calendar months and shall be supplied to the Commission (Eurostat) within two months of the end of the reference period. The first reference period shall be January to March 2008.

3. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

- (a) applicants for international protection who are considered by the responsible national authority to be unaccompanied minors during the reference period;
- (b) persons covered by final decisions rejecting applications for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies in appeal or review during the reference period;
- (c) persons covered by final decisions granting or withdrawing refugee status taken by administrative or judicial bodies in appeal or review during the reference period;

- (d) persons covered by final decisions granting or withdrawing subsidiary protection status taken by administrative or judicial bodies in appeal or review during the reference period;
- (e) persons covered by final decisions granting or withdrawing temporary protection taken by administrative or judicial bodies in appeal or review during the reference period;
- (f) persons covered by other final decisions, taken by administrative or judicial bodies in appeal or review, granting or withdrawing authorisations to stay for humanitarian reasons under national law concerning international protection during the reference period;
- (g) persons who have been granted an authorisation to reside in a Member State within the framework of a national or Community resettlement scheme during the reference period, where such a scheme is implemented in that Member State.

These statistics shall be disaggregated by age and sex, and by the citizenship of the persons concerned. They shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

4. Member States shall supply to the Commission (Eurostat) the following statistics on the application of Regulation (EC) No 343/2003 and Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 ⁽¹⁾:

- (a) the numbers of requests for taking back or taking charge of an asylum seeker;
- (b) the provisions on which the requests referred to in point (a) are based;
- (c) the decisions taken in response to the requests referred to in point (a);
- (d) the numbers of transfers to which the decisions referred to in point (c) lead;
- (e) the number of requests for information.

These statistics shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

⁽¹⁾ OJ L 222, 5.9.2003, p. 3.

Article 5

Statistics on the prevention of illegal entry and stay

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

- (a) third-country nationals refused entry to the Member State's territory at the external border;
- (b) third-country nationals found to be illegally present in the Member State's territory under national laws relating to immigration.

The statistics under point (a) shall be disaggregated in accordance with Article 13(5) of Regulation (EC) No 562/2006.

The statistics under point (b) shall be disaggregated by age and sex, and by citizenship of the persons concerned.

2. The statistics referred to in paragraph 1 shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

Article 6

Statistics on residence permits and residence of third-country nationals

1. Member States shall supply to the Commission (Eurostat) statistics on:

- (a) the number of residence permits issued to persons who are third-country nationals, disaggregated as follows:
 - (i) permits issued during the reference period whereby the person is being granted permission to reside for the first time, disaggregated by citizenship, by the reason for the permit being issued and by the length of validity of the permit;
 - (ii) permits issued during the reference period and granted on the occasion of a person changing immigration status or reason for stay, disaggregated by citizenship, by the reason for the permit being issued and by the length of validity of the permit;
 - (iii) valid permits at the end of the reference period (number of permits issued, not withdrawn and not expired), disaggregated by citizenship, by the reason for the issue of the permit and by the length of validity of the permit;
- (b) the number of long-term residents at the end of the reference period, disaggregated by citizenship.

2. Where the national laws and administrative practices of a Member State allow for specific categories of long-term visa or immigration status to be granted instead of residence permits, counts of such visas and grants of status are to be included in the statistics required under paragraph 1.

3. The statistics referred to in paragraph 1 shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within six months of the end of the reference year. The first reference year shall be 2008.

Article 7

Statistics on returns

1. Member States shall supply to the Commission (Eurostat) statistics relating to:

- (a) the number of third-country nationals found to be illegally present in the territory of the Member State who are subject to an administrative or judicial decision or act stating or declaring that their stay is illegal and imposing an obligation to leave the territory of the Member State, disaggregated by citizenship of the persons concerned;
- (b) the number of third-country nationals who have in fact left the territory of the Member State, following an administrative or judicial decision or act, as referred to in point (a), disaggregated by the citizenship of the persons returned.

2. The statistics referred to in paragraph 1 shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

3. The statistics referred to in paragraph 1 shall not include third-country nationals who are transferred from one Member State to another Member State under the mechanism established by Regulations (EC) No 343/2003 and (EC) No 1560/2003.

Article 8

Additional disaggregations

1. The Commission may adopt measures relating to the definition of additional disaggregations as set out below for the following statistics:

- (a) for statistics required under Article 4 as a whole, disaggregations by:
 - (i) year of submission of the application;
- (b) for statistics required under Article 4(4), disaggregations by:
 - (i) number of persons concerned by the request, decision and transfer;

(c) for statistics required under Article 5(1)(a), disaggregations by:

- (i) age;
- (ii) sex;

(d) for statistics required under Article 5(1)(b), disaggregations by:

- (i) grounds for the apprehension;
- (ii) place of the apprehension;

(e) for statistics required under Article 6, disaggregations by:

- (i) year in which permission to reside was first granted;
- (ii) age;
- (iii) sex;

(f) for statistics required under Article 7, disaggregations by:

- (i) reason for the decision or act imposing an obligation to leave;
- (ii) age;
- (iii) sex.

2. The additional disaggregations mentioned in paragraph 1 shall be supplied only separately, and not cross-classified with the disaggregations required under Articles 4 to 7.

3. When deciding whether additional disaggregations are required, the Commission shall consider the need for this information for the purposes of developing and monitoring Community policies and shall consider the availability of appropriate data sources and the costs involved.

Negotiations on additional disaggregations that may be needed for the application of Articles 4 to 7 shall be initiated not later than 20 August 2009. The earliest reference year for the implementation of additional disaggregations shall be 2010.

Article 9

Data sources and quality standards

1. The statistics shall be based on the following data sources according to their availability in the Member State and in accordance with national laws and practices:

- (a) records of administrative and judicial actions;
- (b) registers relating to administrative actions;

- (c) registers of the population of persons or of a particular subgroup of that population;
- (d) censuses;
- (e) sample surveys;
- (f) other appropriate sources.

As part of the statistics process, scientifically based and well documented statistical estimation methods may be used.

2. Member States shall report to the Commission (Eurostat) on the data sources used, the reasons for the selection of these sources and the effects of the selected data sources on the quality of the statistics, and on the estimation methods used, and shall keep the Commission (Eurostat) informed of changes thereto.

3. At the request of the Commission (Eurostat), Member States shall provide it with all the information necessary to evaluate the quality, comparability and completeness of the statistical information.

4. Member States shall inform the Commission (Eurostat) without delay of revisions and corrections to the statistics supplied under this Regulation, and of any changes in the methods and data sources used.

5. The measures relating to the definition of the appropriate formats for the transmission of data shall be adopted in accordance with the regulatory procedure referred to in Article 11(2).

Article 10

Implementing measures

1. The measures necessary for the implementation of this Regulation laying down the rules on the appropriate formats for the transmission of data as provided for in Article 9 shall be adopted in accordance with the regulatory procedure referred to in Article 11(2).

2. The following measures necessary for the implementation of this Regulation and designed to amend its non-essential elements, *inter alia*, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3):

- (a) updating the definitions set out in Article 2(1);

- (b) defining the categories of groups of country of birth, groups of country of previous and next usual residence and groups of citizenship as provided for in Article 3(1);
- (c) defining the categories of the reasons for the permit as provided for in Article 6(1)(a);
- (d) defining the additional disaggregations and the levels of disaggregations to be applied to the variables as provided for in Article 8;
- (e) laying down the rules on accuracy and quality standards.

Article 11

Committee

1. In adopting the implementing measures, the Commission shall be assisted by the Statistical Programme Committee, established by Decision 89/382/EEC, Euratom.

2. Where reference is made to this paragraph, Article 5 and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Article 12

Report

By 20 August 2012 and every three years thereafter, the Commission shall submit a report to the European Parliament and the Council on the statistics compiled pursuant to this Regulation and on their quality.

Article 13

Repeal

Regulation (EEC) No 311/76 is hereby repealed.

Article 14

Entry into force

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg, 11 July 2007.

For the European Parliament
The President
H.-G. PÖTTERING

For the Council
The President
M. LOBO ANTUNES

9.2 List of Polish legal acts as of 1 December 2007

Basic Acts:

1. **Law on Official Statistics** of 29 June 1995 (Journal of Laws of 1995 No 88, item 439 with further amendments)
2. **Statistical survey programme of official statistics** (defining in details the scope of data transferring by each entity)
3. **Act on the Protection of Personal Data** of 29 August 1997 (consolidated text: Journal of Laws of 2002 No 101, item 926 with further amendments)

In the scope of registration of population:

4. **Act of 10 April 1974 on Registration of Population and Identity Cards** (consolidated text: Journal of Laws of 2006, No 139, item 993, with further amendments)

In the scope of legalisation of foreigners' residence in the Republic of Poland:

5. **Act on Foreigners of 13 July 2003** (Journal of Laws of 2006, No 234, item 1694 with further amendments)
6. **Act of 13 July 2003 on Granting Protection to Foreigners within the Territory of the Republic of Poland** (Journal of Laws of 2006, No 234, item 1695 with further amendments)
7. **Act on the Entry into, Residence in and Exit from the Republic of Poland of Nationals of the European Union Member States and their Family Members of 14 July 2006** (Journal of Laws of 2006, No 144, item 1043 with further amendments)
8. **Act of 15 February 1962 on Polish Citizenship** (Journal of Laws of 2000, No 28, item 353, with further amendments)
9. **Act of 9 November 2000 on Repatriation** (Journal of Laws of 2004, No 53, item 532, with further amendments)
10. **Act of 20 April 2004 on Employment Promotion and Labour Market Institutions** (Journal of Laws of 2004, No 99, item 1001, with further amendments)

and

11. *Proposal of the Act on the Change of the Act on Granting Protection to Foreigners within the Territory of the Republic of Poland and on the Change of other Acts (planned coming into force on 1 April 2008)*

9.3 Detailed analysis of Polish legal acts

I Act of 10 April 1974 on Registration of Population and Identity Cards (Journal of Laws of 2006, No 139, item 993, consolidated text)

The Act regulates matters concerning registration of population and identity cards. Registration of population consists in registration of data on: place of residence, births, military obligation, changes of marital status, citizenship, names and surnames and deaths. A person staying within the territory of the Republic of Poland shall fulfil the registration obligation specified by the act, which consists in:

- 1) Registration in the place of permanent residence or temporary stay;
- 2) De-registration from the place of permanent residence or temporary stay;

- 3) Registration of child birth;
- 4) Registration of change of marital status;
- 5) Registration of death of a person.

Permanent residence shall mean residing in a certain locality, at the specified address with intention of permanent residence.

Temporary stay shall be stay without the intention of changing the place of permanent residence in other locality at the specified address or in the same locality but at a different address.

At the same time it is possible to have only one place of permanent residence or one place of temporary stay above 3 months.

Registration obligation of a foreigner and an EU citizen and his/her family member who is not a citizen of the EU

A foreigner as well as an EU citizen and his/her family member who is not a citizen of the EU staying within the territory of the Republic of Poland shall fulfil the registration obligation according to the rules specified by the Act.

1) Registration for permanent residence

A foreigner registering for permanent residence shall submit data required for registration and residence card issued in relation to granting the permit to settle, residence permit for a long-term EC resident, refugee status or permit for tolerated stay or the permit to settle, residence permit for a long-term EC resident, decision on granting the refugee status in the Republic of Poland or on being granted permit for tolerated stay.

When registering for permanent residence a foreigner fills out form "Notification of permanent residence". When de-registering from the place of permanent residence a foreigner fills out and signs a form "Notification of de-registration from the place of permanent residence".

A citizen of the European Union Member State and his family member who is not a citizen of the European Union Member State registering for permanent residence shall submit (in gmina) data required for registration and the citizen of the European Union Member State shall submit valid travel document or another valid document confirming his identity and citizenship and valid document confirming the right of permanent residence. Member of his family who is not a citizen of the European Union Member State – valid travel document and valid Union citizen family member residence card.

When registering for permanent residence the citizen of the European Union Member State and his family member who is not a citizen of the European Union Member State fills out form "Notification of permanent residence". When de-registering from the place of permanent residence he/she fills out and signs form "Notification of de-registration from the place of permanent residence".

2) Registration for temporary stay above 3 months

A foreigner registering for temporary stay for over 3 months shall submit data required for registration and submits the visa, and in case the entrance of the foreigner was based on the agreement providing for repealing or limiting the visa obligation – the travel document, temporary identity certification of the foreigner, residence card or residence permit for a specified period of time, permit to settle or residence permit for long-term EC resident or

decision on granting permit for tolerated stay or on granting the refugee status in the Republic of Poland.

When registering for temporary stay for over 3 months a foreigner fills out form "Notification of temporary stay above 3 months".

A citizen of the European Union Member State and his family member who is not a citizen of the European Union Member State registering for temporary stay for over 3 months shall submit (in gmina) data required for registration and the citizen of the European Union Member State shall submit valid travel document or another valid document confirming his identity and citizenship and certification of having registered stay of the EU citizen or – when there is no certification – he/she shall make a statement on having registered his/her stay in the territory of the Republic of Poland. Member of his family who is not a citizen of the European Union Member State – valid travel document and valid Union citizen family member residence card.

When registering for temporary stay for over 3 months he/she fills out form "Notification of temporary stay above 3 months".

Provisions concerning a citizen of the European Union Member State and his family member who is not a citizen of the European Union Member State **shall apply to the citizens of the countries of the European Economic Area which are not members of the EU and to other countries which are not the members of the European Economic Area** but – on the basis of the agreements concluded with the European Community and its Member States – they use the right to free movement of persons – and their family members.

The heads and members of the diplomatic representations and consular offices and their families staying within the household and other persons on the basis of acts, agreements or commonly accepted international customs shall be **exempted from the registration obligation** on the condition of reciprocity except from foreigners with a permanent residence in the Republic of Poland.

II Act of 13 June 2003 on Foreigners (Journal of Laws of 2006, No 234, item 1694 with further amendments)

The Act on Foreigners shall lay down the principles and conditions governing entry into, transit through, residence on, and departure from the territory of the Republic of Poland as they apply to foreigners as well as the procedure and the authorities competent in these matters.

This Act shall not apply:

- 1) to heads and members of staff of diplomatic missions and heads of consular posts and members of consular staff of foreign states or to other persons treated equally under applicable laws, treaties or generally recognised international customs, on condition of reciprocity and subject to the requirement of holding appropriate documents by such persons.
- 2) citizens of the Member States of the European Union as well as to the citizens of the Member States of the European Free Trade Association (EFTA) – parties of the European Economic Area agreement or the Swiss Confederation and their family members,
- 3) as regulated in the Act on Granting Protection to Foreigners within the Territory of the Republic of Poland to foreigners applying for the protection and to those who have been granted protection according to the provisions of above mentioned Act.
- 4) as regulated in the Act on Repatriation, to foreigners of Polish origin and the closest members of the repatriate's family.

Crossing the border

A foreigner may cross the border and stay in the territory of the Republic of Poland if he or she has a valid travel document and a visa, if not stipulated otherwise in the provisions of the Act (which especially refers to the foreigners entering Poland under non-visa traffic and the foreigners who have a permit to reside for a fixed period, a permit to settle or a long-term EC resident's residence permit, having a residence card).

Entering the territory of the Republic of Poland, a foreigner should justify the objective and circumstances of the planned stay or residence and present the document confirming these objectives and circumstances, have and present the funds necessary to cover the costs of entry into the territory of the Republic of Poland, transit through, and departure from this territory or the documents allowing for acquiring such funds, as well as a permit to enter another country or to return to the country of origin, upon the request of a competent authority.

A foreigner is obliged to leave the territory of the Republic of Poland before the residence period specified in the visa has elapsed and before the visa validity time has elapsed, unless he or she has obtained extension of a visa term or a permit to reside for a fixed period, permit to settle or a long-term EC resident's residence permit in the territory of the Republic of Poland.

A foreigner staying in the territory of the Republic of Poland under an agreement abolishing or limiting a visa requirement or under a one-sided abolishing of visa requirement is obliged to leave this territory before the term stipulated in the relevant international agreement or in the regulation abolishing the visa requirement has elapsed unless he or she has obtained a permit to reside for a fixed period.

A foreigner staying in the territory of the Republic of Poland in the non-visa movement is obliged to leave this territory after the period of stay he has arrived for in the territory of the Republic of Poland has elapsed, not later than after 3 months have elapsed since the date when the agreement termination became effective or since date of reintroducing a visa requirement or since the date of announcement on this fact in the form as stipulated in the relevant laws and regulations.

Visas

A visa specifies:

- the number of the travel document of a foreigner;
- the place and date of its issue
- the purpose of entry and residence;
- the period of its validity
- the period of residence
- number of entries into the territory of the Republic of Poland, allowed within the period of residence.

With regard to the purpose of entry and residence, the following types of visa shall be issued:

1. airport visa
2. transit visa
3. entry visa issued for the purpose of repatriation
4. residence visa
5. diplomatic visa;
6. service visa
7. courier visa
8. transit diplomatic visa

A foreigner may cross the border and stay in the territory of the Republic of Poland, if he or she is in possession of **a valid travel document and a visa.**

A residence visa is issued as a unified visa or a domestic visa.

A foreigner may apply for **a unified residence visa** if he or she intends to enter into and stay in the territory of the Schengen countries for a period not longer than 3 months. An application for the visa is submitted to the consul.

If the circumstances of a planned stay in the territory of the Republic of Poland related to visiting, carrying out business activity, carrying out cultural activity, participation in international conferences, accomplishing professional assignments by representatives of a third country authority and an international organization, participation in proceedings for granting asylum, performing professional work, staying in relation to a scientific, training or didactical purpose, taking advantage of temporary protection, as well as participation in a cultural or educational exchange programme or a holiday student labour exchange programme require that this period be longer than 3 months, then a foreigner may **apply for a domestic residence visa**, with a residence period to be specified respectively to the indicated purpose of residence. A domestic residence visa may not be issued for a period longer than 1 year.

A residence visa entitles to enter the territory of the Republic of Poland once, twice or many times, as well as to stay in this territory during the residence stay specified therein.

Apart from specifying the period of residence, a visa also specifies the visa validity term which may not be longer than 5 years, during which the first entry should occur as well as the last departure from the territory of the Republic of Poland, as well as the number of entries into the territory of the Republic of Poland allowed during the time of residence.

The visa validity term should begin after 3 months have elapsed since the visa issuance date.

Authorities competent to issue and extend visas

A consul is the authority competent to issue visas.

A voivod respective with regard to the foreigner's place of stay or residence is the authority competent to extend visas.

Head of the Office for Foreigners is the authority competent to issue domestic visas.

Domestic residence visas issued for the purpose of labour

Domestic residence visas issued for the purpose of labour entitle to staying in the territory of the Republic of Poland and to perform work.

A visa for the purpose of labour is issued by the consul respective with regard to the place of permanent residence, if the foreigner submits a promise to issue a work permit in the territory of the Republic of Poland or a document proving that such promise is not required.

A residence visa for the purpose of labour is issued for the residence period, corresponding to the period specified in the promise or in the statement, however, not longer than for a year.

A foreigner who is intending to carry out work depending on the seasons of the year for a fixed period in the territory of the Republic of Poland is issued a domestic residence visa for the residence period, corresponding to the period specified in the promise to issue a work permit, however, not longer than for 6 months within 12 months as of the day of first entry.

If a foreigner is intending to carry out work in the territory of the Republic of Poland for the time longer than 3 months and obtains a promise to issue a work permit, he or she may apply with a request to grant a permit to reside for a fixed period, via the intermediation of a consul, if the foreigner is staying abroad, or directly to the voivod.

Permit to reside for a fixed period

A foreigner may apply for a permit to reside for a fixed period if the circumstance underlying application for this permit justifies his or her residing in the territory of the Republic of Poland for the time longer than 3 months, and this circumstance cover the following: a residence permit for a fixed period

- 1) obtained a promise to issue the work permit or prolongation of such a promise or an employer's written declaration confirming intention to employ a foreigner if work permit is not required
- 2) carries out an economic activity in conformity with the regulations of the law in force in the Republic of Poland, which is beneficial to the national economy and in particular, contributes to the development of investments, transfer of technology, innovations or job creation;
- 3) being a person whose achievements in the field of arts has been estimated, intends to continue a creative activity in the territory of the Republic of Poland
- 4) participates in training and occupational internships effected under programs of the European Union
- 5) intends, as a family member, to accompany a migrating worker referred to in the European Social Chart, done at Turin on 18th October 1961
- 6) is a spouse of a Polish national;
- 7) as a member of a family of a foreigner referred to in Article 54 of the Act, intends to arrive in the territory of the Republic of Poland or resides in that territory to join his or her family;
- 8) is a minor, born in the territory of the Republic of Poland, child of a foreigner, and resides on that territory unattended
- 9) is a spouse or an adult child of a foreigner referred to in Article 54 and has resided in the territory of the Republic of Poland for a period of at least five years on the basis of permits to reside for a fixed period, granted because of the circumstances referred to in section 7 of the Act;
- 10) resides in the territory of the Republic of Poland on the basis of permit to reside for a fixed period granted because of circumstances referred to in item 6, in case of widowhood or divorce, separation or death of his/her direct descendant or ascendant, if it is especially significant to a foreigner
- 11) resides in the territory of the Republic of Poland on the basis of permit to reside for a fixed period, granted because of the circumstances referred to in p. 7, in case of widowhood or divorce, if it is especially significant to a foreigner
- 12) is a minor, born in the territory of the Republic of Poland, child of a foreigner possessing the permit to reside for a fixed period;
- 13) possesses a long-term EC resident's residence permit granted by another member state of the European Union and is going to take up employment or carry out an economic activity in conformity with the regulations of the law in force in the Republic of Poland, to take up or continue studies or professional training, or demonstrates that there are circumstances that justify his / her residence in the territory of the Republic of Poland;
- 14) is a member of a family of a foreigner referred to in item 13, with whom he/she has resided in the territory of another member state of European Union, who accompanies a foreigner or intends to join him/her;
- 15) a victim of trafficking in human beings within the meaning of Council Framework Decision of 19 July 2002 on combating trafficking in human beings and fulfils jointly the following conditions

- a) resides in the territory of the Republic of Poland
- b) has undertaken cooperation with an authority competent with respect to conduct procedure on combating trafficking in human beings
- c) has terminated contacts with persons suspected of committing related to trafficking in human beings

– if circumstance, on which he / she applies for this permit justifies his/her residence within the territory of the Republic of Poland for the period exceeding 3 months.

16) is arriving at or is residing in the territory of the Republic of Poland with the purpose of undertaking or continuing higher education intramural studies or doctorate intramural studies in this territory, including the case of this person's having commenced studies in the territory of another European Union Member State with an intention to continue the studies or to undertake take further education in the territory of the Republic of Poland,

17) is a scientist who is arriving at or is residing in the territory of the Republic of Poland with the purpose of conducting scientific research subject to an agreement for accepting a research project for execution, entered into with a scientific centre, approved by the minister in charge of the scientific matters,

Furthermore, a residence permit for a fixed period may be granted to a foreigner who:

1. is intending to undertake or continue education or professional training in the territory of the Republic of Poland;
2. in view of family relationships, is intending to join a Polish national or a national of a European Union Member State or a European Free Trade Association (EFTA) member state – a party of the European Economic Area Agreement or the Swiss Confederation, residing in the territory of Poland to stay with this person;
3. is a clergyman, member of a monastery or a person performing religious duties in churches and religious associations having a charter subject to an international agreement, regulations of the laws on the relationship between the state and the church or other religious associations or operating under an entry to the register or churches and other religious associations and his stay in the territory of the Republic of Poland is associated with this person's duties or with preparing to perform such duties;
4. shall demonstrate that there have occurred other circumstances than the above-mentioned ones.

– if circumstance, on which he/she applies for this permit justifies his/her residence within the territory of the Republic of Poland above 3 months

Competent authorities

A permit to reside for a fixed period is issued – upon the foreigner's request – by the voivod competent with respect to the place of the foreigner's intended residence for the time necessary to achieve the purpose of the foreigner's stay in the Republic of Poland territory, however, for **not longer than 2 years**.

A foreigner is obliged to leave the Republic of Poland territory before the permit to reside for a fixed period expiry date has elapsed, unless he or she has obtained a consecutive permit to reside for a fixed period, a permit to settle or a long-term EC resident's residence permit.

Permit to settle

The permit to settle shall be granted to an applying foreigner, who:

1. is a minor, born in the territory of the Republic of Poland, child of a foreigner possessing a permit to settle;
2. has been married to a Polish national for at least 3 years before submitting the application and had been residing continuously in the territory of the Republic of

Poland directly before having submitted the application for at least 2 years on the basis of the residence permit for a fixed period;

3. directly before lodging an application had been residing in the territory of the Republic of Poland continuously for at least 10 years on the basis of permit for tolerated stay or at least 5 years if he / she had been granted a refugee status;
4. is a minor child of the national of the Republic of Poland, if the parent exercises parental authority over the child.

The residence in the territory of the Republic of Poland shall be regarded as **continuous if a foreigner has not been absent from the territory of the Republic of Poland for a period exceeding 6 months or 10 months jointly**, unless the reason of his/her absence was:

- performance of occupational obligations or work on the basis of a contract concluded with an employer whose seat is located in the territory of the Republic of Poland;
- accompanying a spouse performing his/her occupational obligations or work in circumstances referred to in p.1;
- the need to obtain a travel document;
- a foreigner's medical treatment.

The permit to settle shall be granted for unlimited period of time

The permit to settle shall be terminated by virtue of law at the day of obtaining the long-term EC resident's residence permit by the foreigner

A long-term EC resident's residence permit

A foreigner in possession of a long-term EC resident's residence permit in one of the EU Member States, has a right to obtain a temporary residence period in another EU Member State, if any circumstances have occurred, justifying his or her residence in this state and if he or she has stable and regular source of income as well as health insurance. This also refers to the above-mentioned foreigner's family.

A long-term EC resident's residence permit shall be granted to a foreigner residing **legally and continuously in the territory of the Republic of Poland for a period of at least 5 years directly preceding submitting the application**, who possesses:

1. stable and regular source of income enough to cover the cost of maintenance of a foreigner and members of his/her family supported by him/her
2. health insurance within the meaning of provisions on common health insurance or documents confirming that the costs of medical treatment in the territory of the Republic of Poland shall be covered by an insurer.

The 5-year residence shall not include the stay of a foreigner:

1. who undertakes studies or professional training,
2. who has been granted a permit for tolerated stay, an asylum, a refugee status in the Republic of Poland or who takes advantage of temporary protection;
3. who applies for granting refugee status or asylum,
4. who works as "au pair worker", seasonal worker or a worker delegated by a service provider for the purposes of cross-border provisions of services, or as cross-border provider of services,
5. who resides in the territory of the Republic of Poland on the basis of a visa granted to the foreigner by the voivod under special circumstances, as approved by the Head of the Office for Foreigners or on the basis of a permit to reside for a fixed period granted for the purpose of joining the family,
6. who has been detained, placed in the guarded centre or in the arrest for the purpose of expulsion in relation to whom the probation measure in the form of ban to leave

the Republic of Poland has been applied or of a foreigner deprived of liberty on the basis of orders given pursuant to the laws.

The 5-year residence shall include half of the period of a foreigner's residence on the basis of visa issued in connection with studies or professional training or half of the period of residence permit for a fixed period granted in connection with an intention to undertake or continue studies or professional training in the territory of the Republic of Poland.

Long-term EC resident's residence permit is granted for unlimited period of time.

Competent authorities:

A decision to grant a long term resident's EC residence permit is made by the voivod respective for the intended foreigner's location.

The foreigner's permit to settle shall be terminated by virtue of law at the day of his or her obtaining the long-term EC resident's residence permit.

A foreigner shall be withdrawn a long-term EC resident's residence permit, if, among others, the foreigner has left the territory of the Republic of Poland for more than 6 years, has left the European Union for the following consecutive 12 months or has obtained a long-term EC resident's residence permit in the territory of another European Union Member State. In case the long-term EC resident's residence permit has been withdrawn for the above-mentioned reasons, a foreigner shall be able to be granted a long-term EC resident's residence permit again as soon as he or she satisfies the conditions for being granted this permit, with a restriction that prior to submitting an application for another permit, he or she should reside legally and continuously in the territory of the Republic of Poland for at least 3 years.

Expulsion of foreigners

Foreigners are expelled from the territory of the Republic of Poland under an administrative decision issued by the voivod, ex officio or as requested by the Minister of Defence, Head of the Internal Security Agency, Head of the Intelligence Agency, Chief Commander of the Border Guard, Chief Commander of the Central Police Headquarters, Chief of a Border Guard branch, Chief Commander of the Regional Police Headquarters, Chief of a Border Guard Post or a Customs Force entity.

A foreigner is **issued a decision on being expelled** from the territory of the Republic of Poland, if:

1. he or she has been staying in this territory without the required visa, permit to reside for a fixed period, permit to settle or long-term EC resident's residence permit;
2. has carried out work against the provisions of the Act of 20 April 2004 on Employment Promotion and Labour Market Institutions;
3. does not have financial means necessary to cover the costs of stay in the Republic of Poland and is not able to prove the reliable sources of their origin;
4. his or her data is entered into the list of foreigners whose stay is unwanted in the territory of the Republic of Poland;
5. his or her data has been entered into the Schengen Information System for the purpose of refusing entry;
6. his or her further stay would threaten state defence or security of the country or the public security and order protection;
7. has crossed or has attempted to cross the border against the binding regulations;
8. has not left the territory of the Republic of Poland voluntarily within the time specified in the respective decision issued to:
 - oblige him or her to leave this territory,
 - refuse permit to reside for a fixed period,

- withdraw the issued permit to reside for a fixed period.
9. he or she does not satisfy tax liabilities against the State Treasury;
 10. he or she has ended imprisonment judged in the Republic of Poland for deliberate crime or treasury crime;
 11. A sentence of imprisonment has been imposed and upheld by court against him or her in the Republic of Poland, subject to being served, and there are grounds for commencement of proceedings to transfer him or her abroad to serve the enforced penalty.

Competent authorities

A decision on expelling a foreigner is issued by the voivod respective for the location of the foreigner's stay or the place where the fact or event which gave rise to submitting an application to expel the foreigner has been disclosed.

A foreigner with regard to whom a decision to be expelled has been issued by the voivod (the authority of the first instance) is entitled to an appeal by virtue of the law to the Head of the Office for Foreigners (the authority of the second instance).

A decision to expel from the territory of the Republic of Poland is not issued to a foreigner who has a permit to settle or a long-term EC resident's residence permit. Furthermore, the above-mentioned decision is not issued, and the issued decision is not executed if there are grounds to grant a permit for tolerated stay pursuant to Article 97 of the Act on Granting Protection to Foreigners within the Territory of the Republic of Poland, if a foreigner is married to a Polish national or a foreigner having a permit to settle or a long-term EC resident's residence permit and his or her further stay does not threaten national defence or security of the country or the public security and order protection and if the proceedings to grant a refugee status to the foreigner have been commenced.

Obligation to leave the territory of the Republic of Poland

A foreigner may be obliged to leave the territory of the Republic of Poland within 7 days if it is evident from the circumstances of the case that he or she is likely to fulfil this obligation voluntarily. A decision to oblige to leave the territory of the Republic of Poland is issued if:

1. he or she is staying in this territory without the required visa, permit to reside for a fixed period or a long-term EC resident's residence permit;
2. has carried out work against the provisions of the Act on Employment Promotion and Labour Market Institutions;
3. does not have funds necessary to cover the costs of stay in the Republic of Poland and is not able to prove the reliable sources of these funds' origin.

Competent authorities

A decision to oblige a foreigner to leave the territory of the Republic of Poland is issued by the Chief Commander of the Regional Police Headquarters, Commander of the District (Municipal) Police Headquarters, Chief of a Border Guard branch or Chief of a Border Guard post (authorities of the first instance). A foreigner with regard to whom the above decision has been issued is entitled to an appeal to the relevant voivod, respectively to the location of the issuing authority (the authority of the second instance).

Issuance of the final decision to expel a foreigner, as well as a final decision to oblige a foreigner to leave the territory of the Republic of Poland, is a basis for entering his or her personal information in the list of foreigners whose stay in the territory of the Republic of Poland is unwanted. A person whose information has been entered in this list shall not obtain a consent to enter Poland (refused entry or refused visa), and also shall not be granted a permit to reside for a fixed period or permit to settle in Poland.

III Act on Granting Protection to Foreigners within the Territory of the Republic of Poland sets forth the terms, conditions and rules of providing protection to foreigners in the territory of the Republic of Poland as well as the competent authorities in these matters.

A foreigner is protected in the territory of the Republic of Poland by:

- granting the refugee status;
- granting asylum;
- granting consent to a tolerated stay;
- providing temporary protection.

Refugee status

Refugee status is granted to a foreigner who satisfies the conditions as set forth in the Geneva Convention and the Protocol Relating to the Status of Refugees, New York, and thus is staying outside of his or her country of origin, has a justified fear of being prosecuted because of race, religion, nationality, social positions or his or her political views, is not able to or is not willing to take advantage to protection provided by his or her country of origin because of such fear and no excluding clauses are valid with regard to him or her (a refugee is not a person who has committed a crime against peace, a war crime, crime against humanity, serious non-political crime or an offence against the objectives and principles of the United Nations). Refugee status is also granted to a spouse and a minor child of a foreigner if they are included in the application for refugee status, as well as to a minor child of a foreigner who was born in the territory of the Republic of Poland.

Pursuant to Article 15 of the aforesaid Act, **a foreigner is refused refugee status if:**

- 1) he or she does not meet the conditions to be deemed refugee, set forth in the Geneva Convention and the Protocol Relating to the Status of Refugees, and in particular refers to his or her fear of prosecution, occurrence of such prosecution being restricted to specific parts of the territory of his or her country of origin or another country where he or she resides permanently, while it was possible for him or her to move in an undisturbed way to another part of the territory of this country and take advantage of the protection under Article 33 section 1 of the Geneva Convention;
- 2) circumstances excluding granting this person refugee status have occurred, set forth in the Geneva Convention;
- 3) he or she has obtained refugee status in another country, providing actual protection to him or her.

Furthermore, a foreigner is refused **refugee status to be granted because of the obviously unjustifiable refugee status application, in case such application:**

- 1) does not provide any grounds justifying the foreigner's fear of prosecution, set forth in Article 1A of the Geneva Convention (in particular when the foreigner provides reasons other than fear from prosecution because of his or her race, religion, nationality, social positions or political views in applying for the refugee status, when no information is provided on the circumstances related to his or her fear of prosecution or when he or she provides the information which is evidently incredible, unlikely or the facts which are incoherent or obviously contradictory);
- 2) intends to mislead the authority or abuse the refugee application proceedings (in particular when the foreigner without any reasonable justification has not notified on having submitted an application for the refugee status before in another country or countries, provides untrue information as to his or her identity, presents false evidence, in particular forged or remade documents, has damaged or concealed the evidence which is significant to the proceedings or

got rid of such evidence, or, being able to have submitted the application before, applied for refugee status to avoid being expelled);

3) indicates to the fact that the foreigner has come from a secure country of origin or a secure third country which he is allowed to return to. Pursuant to Article 2 of the aforementioned Law, a secure country of origin is a country where in view of the system of law and its application and in view of the political relationships, there is no prosecution because of race, religion, social positions or political views, and non-government organizations and international organizations are free to conduct activity in to protect human rights.

As of 1 May 2004, the Dublin II Regulation is binding in Poland, laying down the criteria and mechanisms for indicating the country responsible for considering an application for refugee status, submitted in the EU Member State by a third country national. The above Regulation regards both foreigners who had submitted an application for refugee status in Poland, and who were after that detained in the territory of Member States (with regard to having submitted the subsequent application for refugee status in another country or in other circumstances), as well as the persons who have not applied for refugee status in our country, but Poland was the first Member State where they arrived (e.g. on the basis of a Polish visa).

Competent authorities

Decisions in cases to grant and deprive of refugee status are issued by Head of the Office for Foreigners.

Tolerated stay

In the decision on refusal to grant refugee status to a foreigner, permit for tolerated stay in the territory of the Republic of Poland shall be granted if he or she were expelled: "only to a country where his or her right to life, freedom and personal security would be threatened, where he or she might be tortured or undergo inhuman or humiliating treating or punishment or where he or she might be forced to work or deprived of a right to fair trial or be punished on no legal grounds under the Convention on protection of human rights and the basic freedom, signed in Rome on 4 November 1950".

Competent authorities

Proceedings in the first instance are conducted by the Head of the Office for Foreigners who issues decisions on granting and depriving of refugee status. A foreigner may lodge an appeal against the Head' of the Office decision on refusal to grant refugee status to the Council for Refugee Matters, whereas a negative decision of an authority of the second instance entitles to submit an appeal to the Supreme Administrative Court (after such complaint has been considered by the Regional court of administration).

Temporary protection

Foreigners massively leaving their country of origin due to invasion, war, civil war, ethnic conflicts or gross violation of human rights may be subject to temporary protection in the territory of the Republic of Poland, regardless of the fact whether this entry was spontaneous or was a consequence of aid provided by the international community.

Such protection is provided until the time when it becomes possible for the foreigners to massively return to their previous place of residence. **Temporary protection is granted under a European Council decision, throughout the time specified in this decision each time. The Republic of Poland Council of Ministers – by way of a regulation issued by it – may provide temporary protection to the foreigners who are not subject to an EC decision, forced to leave their country or geographical area respective to the decision,**

under the following circumstances: invasion, war, civil war, ethnic conflicts or gross violation of human rights.

Competent authorities

The authority respective to provide temporary protection to a foreigner is Head of the Office for Foreigners.

A foreigner is refused temporary protection when:

- it is reasonably suspected that the foreigner has committed a crime against peace, a war crime or a crime against humanity, under the international laws and regulations,
- he or she has committed a non-political crime outside Poland, prior to entering its territory,
- he or she has committed offences against the aims and rules of the United Nations Organization.

Temporary protection is provided until the time when foreigners are able to return to their previous place of residence, however, **not longer than for one year. It is possible to extend this time by 6 months, yet not more than twice.**

A foreigner taking advantage of temporary protection:

- may carry out their job without a work permit or
- run business activity according to the rules binding to Polish nationals,
- his or her child may take advantage to a right to learn – according to the principles specified for the Polish nationals,
- utilize a law to join the family,
- after the temporary protection has ceased, he or she is notified (in a language he or she understands) on the circumstances which may be important in making a decision to return to the country of origin or to the area the foreigner came from,
- in case the foreigner is not able to return to the country of origin or to the area he or she has arrived, after the temporary protection has ceased (in particular – in a situation such as a health condition requiring hospitalization), Head of the Office for Foreigners grants a permit to reside for a fixed period to the foreigner by the time the circumstance making it impossible to return is ceased.

IV Act on the Entry into, Residence in and Exit from the Republic of Poland of Nationals of the European Union Member States and their Family Members

Provisions of the act are applied to the European Union Member States nationals and members of their families, as well as to other countries which are not European Union Member States, but take advantage of free movement of persons and members of their families if their stay in Poland exceeds a period of three months.

The law sets forth, among others, the notion of a "EU national", denoting a foreigner who:

- a) is a European Union Member States national,
- b) is a national of a European Free Trade Association (EFTA) member state – a party of the European Economic Area Agreement,
- c) is a national of the Swiss Confederation.

The notion of a "family member", denoting a foreigner who is or is not a EU national:

- a) a EU national's spouse,
- b) a direct descendant child of a UE national or his or her spouse, up to 21 years of age or being a EU national's or his or her spouse's dependent person,
- c) a direct ascendant child of a UE national or his or her spouse, up to 21 years of age or being a EU national's or his or her spouse's dependent person.

A family member who is not a EU national may enter the territory of the Republic of Poland on the basis of a valid travel document and visa, whereas the possessing a visa is not required from:

- 1) a national of a country which is exempted from the visa requirement partially or totally, pursuant to the Council Regulation (EC) No 539/2001 of 15 March 2001, laying down the third countries whose nationals must be in possession of a visa in crossing external borders, as well as those countries whose nationals are exempted from this requirement
- 2) a family member who is not a EU national, being in possession of a valid document issued by another Member State equivalent to a residence card of a EU national's family member or a EU national's family member permanent residence card, referred to in Articles 30 and 54 or a valid residence card, issued pursuant to the Act on Foreigners of 13 June 2003.

Competent authorities

A EU national's family member who is not a EU national submits **an application for an entry visa** with the purpose of staying or joining a EU national to the Consul or Chief of a Border Guard Post.

A visa is issued or refused by the Consul or Chief of a Border Guard Post immediately after the application has been submitted, with ensuring any assistance available under the binding laws and regulations in obtaining a visa.

A decision refusing entry into the territory of the Republic of Poland may be issued by Chief of a Border Guard Post if the information on the EU national or the EU national's family member who is not a EU national is found in the list of foreigners who are unwanted in the territory of the Republic of Poland or if he or she do not have any valid travel document or another important document confirming their identity and citizenship. In case the above-mentioned documents are missing, the above-mentioned person may prove in a defensible way that he or she is authorized to take advantage of free transfer of persons. Before a decision to refuse entry because the above-mentioned documents are missing, the Chief of a Border Guard Post is obliged to enable this person to obtain these documents or prove in another reliable way that he or she is entitled to taking advantage of free movement of persons, during the time not more than 72 hours.

A foreigner who has been refused entry is entitled to appeal to the Chief Commander of the Border Guard.

A foreigner who has been refused a visa by way of a decision issued by the Consul is entitled to appeal to the minister in charge of foreign affairs, and a foreigner who has been refused a visa by way of a decision issued by a Chief of a Border Guard Post is entitled to appeal to the Chief Commander of the Border Guard.

A EU national may **leave the territory of the Republic of Poland** on the basis of a valid travel document or another document confirming his or her identity and citizenship.

A family member who is not a EU national may leave on the basis of a valid travel document.

Pursuant to the provisions of the law, the institutions of the **"temporary residence permit" and "residence permit"** have been introduced.

Pursuant to Article 8 section 1 of the law, the residence permit is valid with regard to a EU national's family member. Such permit is granted **for five years, as of its issuance date, and is not withdrawn from the family member in case of his or her death (Article 10 of the act).**

An EU national is entitled to a residence permit in the territory of the Republic of Poland for the time longer than 3 months, if:

- 1) he or she is an employee or a sole trader in the territory of the Republic of Poland (in this case, the residence permit is extended to the family member staying in the territory of the Republic of Poland with the EU national);
- 2) is subject to the common health insurance or is entitled to health care benefits and has sufficient funds to maintain himself or herself and his or her family in the territory of the Republic of Poland, ensuring that no encumbrance is put on the Polish welfare;
- 3) is studying or takes advantage of professional training in the territory of the Republic of Poland and is subject to common health insurance or is entitled to health care benefits and has sufficient funds to maintain himself or herself and his or her family in the territory of the Republic of Poland, ensuring that no encumbrance is put on the Polish welfare;
- 4) is married to a Polish national;
- 5) or if he or she has been issued a promise to grant work permit in the territory of the Republic of Poland, in case of EU nationals with regard to whom restricted access to the labour market applies, under to international agreements.

A residence permit which a EU national is entitled to, **is extended to cover his or her family member who joins him or her or stays with him or her in the territory of the Republic of Poland.**

In case of a EU national who is studying or takes advantage of professional training in the territory of the Republic of Poland, residence permit which a EU national is entitled to **is extended only to his or her spouse and a child being maintained by him or her or by his or her spouse.**

A EU national and his or her family member who ceased to meet the above criteria, retains the residence period in the cases set forth in the Act in detail.

If a EU national's stay in the territory of the Republic of Poland is longer than 3 months, he or she is obliged to **register his or her stay**, and a family member who is not a EU national **is obliged to obtain a EU national's family member residence card.**

Competent authorities

An application to register or to issue a EU national's family member residence card should be submitted personally to the voivod respective with regard to the EU national's place of stay, not later than on the day following the day after 3 months have elapsed since entry to the territory of the Republic of Poland.

The voivod issues a proof of having submitted the application immediately to a family member who is not a EU national. The voivod issues a **proof of registered residence** to a EU national whose residence has been registered. **A residence card of a EU national's family member** is issued by the voivod. After the lapse of **5 years of continuous residence** in the territory of the Republic of Poland, a EU national acquires a **permanent residence right.**

A family member who is not a EU national, acquires a right to permanent residence after the lapse of **5 years of continuous residence in the territory of the Republic of Poland, together with the EU national.**

Residence is deemed to be continuous if has not been interrupted by breaks lasting 6 months in total within a year. Residence in the territory of Poland is not interrupted by leaving this territory for the period longer than the above-mentioned period, because of serving mandatory army service or because of a significant personal situation, this being in particular pregnancy, child delivery, illness, studies, professional training, delegation to other duties requiring to stay outside this territory, provided that this period is not longer than 12 consecutive months.

A stay in the territory of the Republic of Poland is interrupted by enforcement of a decision to expel a EU national or his or her family member who is not a EU national.

The law sets forth the details of a **possibility to acquire a right to permanent residence prior to the lapse of the 5-year stay in the territory of the Republic of Poland**, in extraordinary professional or family-related situations.

A EU national who has acquired a right to permanent residence is issued a **document confirming a permanent residence right**, as requested by him or her. An application requesting so has to be submitted personally to the voivod respective with regard to the place of the EU national's stay.

A family member who is not a EU national, who has acquired a right to permanent residence, is issued a **card of permanent residence of a EU national's family member**, as requested by him or her. The card of permanent residence of a EU national's family member **is valid for 10 years.**

V Act of 20 April 2004 on Employment Promotion and Labour Market Institutions lays down the provisions related to employing foreigners in the territory of the Republic of Poland

Pursuant to Article 87 of the above law, a foreigner may perform work in the territory of the Republic of Poland, if he or she is in possession of a work permit, issued by the voivod respective with regard to the employer's seat.

This obligation does not refer to the foreigners who:

- 1) have a refugee status granted in the Republic of Poland;
- 2) have a permit to settle in the Republic of Poland:
 - 2a) have a permit to reside for a fixed period of time in the Republic of Poland granted in connection with a circumstance referred to in Article 53, paragraph 1, subparagraph 13 of the Act of 13 June 2003 on Foreign Persons;
 - 2b) have a long-term resident of the European Communities' stay permit in the Republic of Poland;
- 3) have a permit for tolerated stay in the Republic of Poland;
- 4) take advantage of temporary protection in the Republic of Poland;
- 5) family members of a Polish citizen being citizen of the states referred to in Article 1, paragraph 3, subparagraph 2, letters a and b;
 - 5a) the spouse of a Polish citizen not being a citizen of a state referred to in Article 1, paragraph 3, subparagraph 2, letters a and b, if he or she holds a permit to reside for a fixed period of time in the territory of the Republic of Poland granted in connection with his or her entering into marriage;

5b) descendants of a Polish citizen or a foreign person who is a spouse of a Polish citizen, as referred to in subparagraph 5a, not being a citizen of a state referred to in Article 1, paragraph 3, subparagraph 2, letters a and b, if he or she holds a permit to reside for a specified period of time in the territory of the Republic of Poland;

6) family members of the foreign persons referred to in subparagraphs 1 to 4:

a) being the spouse of this foreign person and holding a permit to reside for a specified period of time in the territory of the Republic of Poland granted in connection with his or her entering into a marriage;

b) holding a permit to reside for a specified period of time in the territory of the Republic of Poland granted under Article 53, paragraph 1, subparagraph 7 or 14 of the Act of 13 June 2003 on Foreign Persons or being descendants of a foreign person holding consent for a tolerated stay in the territory of the Republic of Poland, if they obtained a permit to reside for a specified period of time in the territory of the Republic of Poland, or being descendants of a foreign person enjoying temporary protection in the territory of the Republic of Poland, if they obtained a permit to reside for a specified period of time in the territory of the Republic of Poland;

7) who have been exempt from the obligation to possess a work permit under separate regulations;

8) the foreigners who:

a) are nationals of the European Union Member States;

b) are nationals of European Economic Area, not being an European Union Member States;

c) are nationals of countries which take advantage from free movement of persons under agreements signed by these countries with the European Community and its Member States;

d) are family members of foreigners, mentioned in point a-c, and descendants of spouses of these foreigners, at the age till 21 years or staying on maintenance of these foreigners or theirs spouses and also ascendants of these foreigners or theirs spouses, staying on maintenance of these foreigners or theirs spouses.

With regard to these foreigners who are referred to in the above item 8, it is possible to apply restrictions in access to labour market, if such a possibility is stipulated in the international agreements.

No restrictions in access to labour market are applied if a foreigner, referred to in the above item 8, has a permanent residence permit.

These foreigners who hold positions in management boards of legal entities running business activity, under the charters of such entities, must possess a work permit. Only these foreigners who hold positions of management board members for the period shorter than 30 days within a calendar year are exempt from this requirement.

VI Act on Polish Citizenship

The issues related to the Polish citizenship and losing Polish citizenship are laid down in the Act on Polish Citizenship and the Republic of Poland's President's Regulation of 14 March 2000 on the detailed procedure for applications to grant or approve to renounce Polish citizenship and on the templates of the related proofs and applications documents.

Under the Polish law, a Polish national may not be a national of another country.

The method of acquiring Polish citizenship

"**The principle of blood**" (*ius sanguini*) universally obligatory in the legislature of European countries, has been valid in Poland for a few decades. According to this law, a child acquires Polish citizenship automatically through being born to parents of whom at least one is Polish nationals, regardless the place of birth be in Poland or foreign country (Article 4 item 1 and 2 of the Act). The issue of the citizenship of children born to parents with different citizenship, i.e. Polish and foreigner, was solved in such a way that according to Article 6 section 1 of the above mentioned Act, the child of such parents acquires Polish citizenship by birth regardless whether the place of birth is Poland or another country. However, the parents may in a declaration made in conformity to the proper authority (a Consul for persons residing abroad or the Voivod for persons residing in Poland) within 3 months since the day of the child's birth may choose for their child a citizenship of the foreign state of which one of the parents is a citizen, providing that according to the Act of that state the child acquires its citizenship. The child, who acquired foreign citizenship in such way, may after 16th birthday and before 6 months prior to attaining full legal age (i.e. 18 years) he or she makes the appropriate declaration to the proper authorities – the Voivod or the Consul depending on a place of residence. Positive decision issued by proper authority results in acquisition of Polish citizenship.

"**Principle of land**" (*ius soli*) is applied when the child is born or is found in Poland, and both parents are unknown or they do not hold any citizenship (Article 5 of the Act).

Citizenship granted by the President of the Republic of Poland

Pursuant to Article 8 of the Act, a foreigner may be granted Polish citizenship upon his or her request, if he or she is residing in Poland on the grounds of a permit to settle, a long-term EC resident's residence permit if he or she has been residing in Poland for at least 5 years on the basis of a permanent residence permit. In some special cases, not set forth in detail in the aforementioned Act, a foreigner may be granted Polish citizenship upon his or her request, even if the above-mentioned conditions have not been satisfied. Each case is considered individually. Polish citizenship granted to both parents is extended to children remaining under their parental authority. Approval to grant Polish citizenship is issued by the President of the Republic of Poland. An application for Polish citizenship is submitted via the intermediation of the voivod respective with regard to the applicant's place of residence, or – in case of persons staying abroad – via the intermediation of the respective Consul.

Citizenship granted to stateless persons

Pursuant to Article 9 of the Act of Polish Citizenship, a person whose citizenship is not determined or who is not a national of any country (a stateless person), if he or she has been residing in Poland on the grounds of a permit to settle or a long-term EC resident's residence permit for at least 5, may be granted Polish citizenship. Polish citizenship is granted upon the applicant's request and is extended to children of the person who has been granted citizenship, if they are residing in Poland, and if a child is 16 years of age and older, it may take place only upon his or her consent. Polish citizenship is granted by the voivod respective with regard to the applicant's place of residence. The Ministry of Interior and Administration is the authority of the second instance.

A simplified method of acquiring Polish citizenship by a foreigner married to a Polish national

A simplified method of **acquiring Polish citizenship is laid down in** Article 10 of the Act. Pursuant to this Act, a foreigner, both a man and a woman, who has been married to a Polish

national for at least 3 years and residing in Poland on the basis of a permit to settle or a long-term EC resident's residence permit or is in possession of a permanent residence permit, may submit a declaration of will to acquire Polish citizenship to the voivod respective with regard to the foreigner's place of residence. The foreigner's declaration is accepted upon the voivod's decision and the Polish citizenship is granted.

Both these conditions must be met jointly, i.e. a foreigner must be in possession of the required permit and have been married for at least 3 years to a Polish citizen. The foreigner may submit such declaration only within 6 months since the date of obtaining his or her permit to settle or within 3 years and 6 months since the date of marriage to a Polish citizen. The relevant authority for these matters is the voivod. The Ministry of Interior and Administration is the authority of the second instance.

Regaining Polish citizenship lost in childhood

This method of obtaining Polish citizenship may cover acquiring Polish citizenship pursuant to Article 6 section 3 of the Act on Polish Citizenship, stipulating that a child who has lost Polish citizenship as a consequence of its parents' who are of Polish and foreign citizenship declaration of will to select a the foreign citizenship for the child, submitted within 3 months of the child's birth. Such child, after its 16th birthday and before 6 months have elapsed since its 18th birthday, may submit a statement of will to acquire Polish citizenship to a voivod or a consul (respectively to the place of residence). A positive decision issued by the respective authority, such as a voivod or a consul, (which is decided according to the applicant's place of residence) results in the Polish citizenship acquired by such person.

Regaining Polish citizenship lost as a consequence of marriage to a foreigner – reintegration

According to the reintegration procedure, i.e. pursuant to the provisions of Article 11 of the Act on Polish Citizenship, a person who has lost Polish citizenship by acquiring foreign citizenship as a consequence of being married to a foreigner, or with relation to such marriage, regains Polish citizenship if he or she, after such marriage has been terminated or nullified, submits a declaration of will to acquire Polish citizenship to the respective voivod or consul (respectively to the applicant's to acquire Polish citizenship place of residence) and this authority issues a decision to accept such declaration.

IMPORTANT

The competent authority may make acquiring of the citizenship according to the aforementioned methods, except for acquiring citizenship pursuant to Article 6 section 3 of the Act, dependent on having submitted a proof of lost or renounced foreign citizenship before.

VII Act on Repatriation

Repatriation or persons' of Polish origin returning to the Mother Land **is one of the ways to acquire Polish citizenship**. Only the persons who are not in possession of Polish citizenship are entitled to this right and who are also wishing to move to the Republic of Poland for permanent stay.

The Republic of Poland government treats the repatriation action as the act of fulfilling the moral obligation to reward harms suffered in history by the Poles coming from the areas of the Asian part of the ex-USSR mainly. The Repatriation Act is aimed at enabling returning to the country to these persons or their ancestors who have never been able to settle in Poland as a result of being deported, sent to exile or other national and political prosecutions.

A repatriate is a person of Polish origin, who has arrived in the Republic of Poland on the basis of a visa with the purpose of repatriation and the intention to settle permanently (Article 1 section 2). **Pursuant to Article 5, the Act deems a person declaring Polish nationality and fulfilling the two conditions below jointly** is deemed as a person of Polish origin:

- at least one of his or her parents or grandparents were of Polish nationality (this condition is deemed to have been met if the above-mentioned ancestors have confirmed that they belonged to the Polish Nation),
- he or she proves his or her relationship with the Polish origin, in particular by caring for the Polish language, traditions and customs.

A person proving his or her relationship with the Polish origin and declaring Polish nationality, who has had Polish citizenship in the past or at least one of his or her parents or grandparents or two great-grandparents had Polish citizenship, is also deemed to be of Polish origin.

Competent authorities

A decision to admit an applicant as a person of Polish origin is issued by a consul.

In the process of repatriation, Polish citizenship is also acquired by minor children remaining under a repatriate's parental authority. In case only one of the parents is a repatriate, a minor child acquires the Polish citizenship only upon the other parent's consent, expressed in a declaration submitted to the consul.

A minor child who is 16 years of age and older may acquire Polish citizenship only upon his or her consent.

The Act also sets forth a possibility to deem the persons who have already been residing in the territory of the Republic of Poland as repatriates (Article 16). **Decision on deeming a person a repatriate is issued by a voivod.**

An opportunity to deem a person a repatriate may be taken advantage of by a person of Polish origin who:

had been residing in the territory referred to in Article 9 on a permanent basis, before the Act entered into force, and has been residing in Poland on the basis of a permit to reside for a fixed period, granted with regard to studying in a school of higher education under a scholarship provided by Poland pursuant to the regulations of undertaking and continuing studies by non-Polish nationals (the relevant application must be submitted to the voivod within 12 months since graduation from the respective school of higher education), or

Pursuant to Article 8 of the Act **a repatriation visa may not be issued** to a person who:

has lost Polish citizenship acquired as a result of repatriation pursuant to the provisions of this Repatriation Act, or

has repatriated from the territory of the Republic of Poland or the former People's Republic of Poland pursuant to repatriation agreements entered into in years 1944-1957 by the Republic of Poland or the former People's Republic of Poland with the Belarusian Soviet Socialist Republic Ukrainian Soviet Socialist Republic, the Lithuanian Soviet Socialist Republic and the USSR to one of the countries being a party to these agreement, or

during his or her stay outside the Republic of Poland have acted to harm the basic interests of the Republic of Poland or

has participated or is participating in violating human rights.

Pursuant to Article 9 of the Act, a visa for repatriation purposes may be issued to a person of Polish origin who had been residing on a permanent basis before the Act entered into force in the current Republic of Armenia, Republic of Azerbaijan, the Republic of Georgia, the Republic of Kazakhstan, the Republic of Kyrgyzstan, the Republic of Tajikistan, the Republic of Turkmenistan, the Republic of Uzbekistan or the Asian part of the Russian Federation. Such a solution is justified by the fact that international agreements regarding repatriation, entered into by Poland in the forties of the previous century, did not cover the Poles living in the USSR who had not had Polish citizenship before 17 September 1939 (it also includes the persons deported in 1936 from the Western Ukraine to the Kazakhstan Soviet Socialist Republic). Selecting Kazakhstan and other former Soviet republics of the Middle Asia as a repatriation area is aimed as a compensation for these persons (or their descendants who were not able to take advantage of former repatriation actions. Very difficult living conditions in these areas are an additional, very important argument for enabling repatriation from these areas first. One should remember that this restriction is not definitely closed for redefinition – Pursuant to Article 10 of the Act, the Council of Ministers may issue a regulation specifying other countries or other parts of the Russian Federation whose nationals of Polish origin will be able to apply for visa for repatriation purposes, especially if they are discriminated for religious, national or political purposes.

9.4 Forms of the surveys "Immigrants in Poland" and "Labour market situation of migrants and their immediate

Territorial symbol of the gmina Symbol of the facility Facility no. in voivodeship AI-2 questionnaire no. in the facility

CENTRAL STATISTICAL OFFICE, al. Niepodległości 208, 00-925 Warszawa

www.stat.gov.pl

IMMIGRANTS IN POLAND QUESTIONNAIRE

AI-2

The aim of the survey is to establish the size of immigration.

Please give answers to the questions of the questionnaire. We ensure that the obtained data will be kept confidential, compiled and used only for statistical purposes.

Section 1. General information

1	Sex	• man	1
		• woman	2

2	Age (completed years)	<input type="text"/>
---	-----------------------	----------------------

3	Legal marital status	• single	1
		• married	2
		• divorced	3
		• widowed	4

4	Education <i>(there should be provided the highest level of education, confirmed with a certificate of graduation)</i>	• higher	1
		• secondary vocational	2
		• general secondary	3
		• basic vocational (primary vocational)	4
		• lower secondary	5
		• primary completed (including primary not completed and without school education)	6
		• not applicable (for persons aged under 15)	7

5	Country of permanent residence <i>(in the case of permanent residence in Poland – the country of previous residence should be provided)</i>	symbol (entered by the SO)	<input type="text"/>
6	Country of birth <i>(the country should be provided according to the current borders)</i>		<input type="text"/>
7	Country of father's birth <i>(the country should be provided according to the current borders)</i>		<input type="text"/>
8	Country of mother's birth <i>(the country should be provided according to the current borders)</i>		<input type="text"/>

9	Country of citizenship <i>(in the case of having Polish citizenship – it should be mentioned as the first one) symbol (entered by the SO)</i>	symbol (entered by the SO)	1
			2

If you have Polish citizenship, please answer question 10, and then the questions of Section 2. If you have a different citizenship (no Polish citizenship) please move directly to Section 2.

10	How did you obtain Polish citizenship? <i>(in the case of marking answer "1", the year of granting and the name of the country of previous citizenship)</i>	• by granting (naturalisation)	1
		year of granting	<input type="text"/>
	name of the country of previous citizenship <i>(symbol entered by the SO)</i>	• by birth	2
		<input type="text"/>	<input type="text"/>

Section 2. Questions concerning the stay in Poland

1	Is it your first stay in Poland? <i>(previous tourist, business etc. visits should be disregarded)</i>	• yes	1	>>3
		• no	2	>>2

2	Please specify the total time of stay/residence in Poland <i>(a sum of the lengths of particular stays in Poland should be provided)</i>	<input type="text"/>	<input type="text"/>	>>3
		years	months	

3	Please provide the length of the current stay in Poland <i>(the period from the moment of arriving in Poland until now and the intended one should be taken into account)</i>	• up to 3 months	1
		• from 3 months to 1 year	2
		• 1 year and longer	3

Section 2. Questions concerning the stay in Poland (cont)

4	Are you staying in Poland permanently?		
	▪ yes.....	1	>>6
	▪ no.....	2	>>5

5	Are you intending to stay in Poland permanently?		
	▪ yes.....	1	>>6
	▪ no.....	2	

6	Please provide the main cause of coming to Poland <i>(the current stay should be considered)</i>		
	• working.....	1	>>7
	• looking for a job.....	2	
	• school, studying.....	3	
	• voluntary work.....	4	
	• accompanying family.....	5	
	• joining family.....	6	
	• creating a family.....	7	
	• international protection (refugee, tolerated stay).....	8	
	• other (tourist and holiday, business etc. stays).....	9	
• not applicable (child of immigrant(s) born in Poland).....	10		

7	Please specify your status on the labour market <i>(self-assessment)</i>		
	• self-employed.....	1	>>8
	• employed.....	2	
	• unemployed.....	3	>>10
	• economically inactive.....	4	

8	What profession do you work in? <i>(symbol entered by the SO)</i>		
			>>9

9	Please specify the activity of the major place of work		
	• agriculture.....	1	>>10
	• manufacturing.....	2	
	• construction.....	3	
	• trade.....	4	
	• hotel/restaurant.....	5	
	• transport.....	6	
	• education.....	7	
	• health care.....	8	
	• household.....	9	
• other.....	10		

10	Please specify your knowledge of the Polish language		
	• very good.....	1	
	• good.....	2	
	• sufficient.....	3	
	• difficulties in communication.....	4	
	• not applicable (for children aged under 5).....	5	

Comments:

Thank you for answering the questions of the questionnaire

Interviewer's number		Legible signature of the interviewer	Date of interview	
----------------------	--	--	-------------------	--

01	Territorial symbol of the gmina	
02	Symbol of the US field branch	
03	IDM dwelling identifier	
04	Subsequent number of household in the dwelling	
05	ZD questionnaire number	
06	Number of person in household	
07	Respondent's sex	
08	Year of birth	
09	Cause of lack of questionnaire	

ZD-H

THE SITUATION OF MIGRANTS AND THEIR DESCENDANTS ON THE LABOUR MARKET

MODULAR QUESTIONNAIRE

BAEL

1 Do you have Polish citizenship?
Answer should comply with the answer entered in the ZG questionnaire in Section 1, point A1, field 9.

▪ yes..... >>2
 ▪ no..... >>4

6 Please provide the country of father's birth
The country should be provided according to the current borders. If a person was born in a different country, but at the moment of birth the territory belonged to Poland, answer "2" should be marked, in other cases – answer 3".

•Poland

 • other >>3

(name of the country)

2 Do you have Polish citizenship from your birth or you obtained it by granting (naturalisation) or repatriation?
If answers "2" or "3" are marked, please provide the year of granting/repatriation and the country of previous citizenship.

•I am a Polish citizen from birth
 •I obtained Polish citizenship by granting (naturalisation)
 • I obtained Polish citizenship by repatriation >>3
 year of granting/repatriation

(name of the country of previous citizenship)

7 Was your mother a Polish citizen?

▪ yes..... >>6
 ▪ no.....

3 Do you have a second citizenship?

▪ yes..... >>4

 ▪ no.....

8 Are you an immigrant or a child of immigrant(s) born in Poland?
The following persons should be treated as immigrants here:
 – a foreigner who obtained a settlement/permanent resident in Poland permit,
 – a person (foreigner or Pole) who has the place of permanent residence abroad and is staying temporarily in Poland,
 – a person benefiting from international protection in Poland,
 – a Pole who was born abroad and lived there for at least 1 year after birth.

• yes..... >>9
 • no..... >>11

4 Please provide the country of father's birth
The country should be provided according to the current borders. If a person was born in a different country, but at the moment of birth the territory belonged to Poland, answer "2" should be marked, in other cases – answer 3".

•Poland

 • other >>3

(name of the country)

9 Do you live in Poland permanently?

▪ yes..... >>16
 ▪ no..... >>10

5 Was your father a Polish citizen?

▪ yes..... >>6
 ▪ no.....

10 Are you going to live in Poland permanently?

▪ yes..... >>16
 ▪ no.....

11	Have you ever stayed abroad for more than 3 months?	
	▪ yes	1 >>12
	▪ no	2 >>20

12	Please provide the length of the last stay abroad, country of stay and year of returning to Poland	
	▪ less than 1 year	1
 (name of the country)	
	year of returning to Poland	
	▪ 1 year or more	2 >>13
	number of years of staying abroad	
 (name of the country)	
	year of returning to Poland	

13	Did you leave to earn some money? <i>The question concerns the last travel abroad</i>	
	▪ yes	1 >>14
	▪ no	2 >>15

14	Did you work in your profession abroad? <i>The question concerns the last travel abroad; the last performed profession (before leaving) should be taken into account, and in the case of graduates – the trained profession</i>	
	▪ yes	1
	▪ no	2
	▪ I did not work	3 >>15
	▪ I had not worked before and I don't have a trained profession	4

15	Please provide the major reason for returning to Poland	
	• the situation on the Polish labour market improved	1
	• I was going to set up my own business in Poland	2
	• I saved the planned amount and I did not want to stay any longer	3
	• I lost my job and could not find another	4
	• I could not find a job	5
	• my contract expired	6 >>20
	• I was doing a seasonal job	7
	• I had not planned a longer stay	8
	• I left my family in Poland	9
	• I finished school, studies	10
	• I retired and wanted to spend it in Poland	11
	• accompanying family	12
	• other	13

Comments:

Comments:	
-----------	--

16	Please provide the reason for going abroad	
	• working	1
	• looking for a job	2
	• school, studies	3
	• voluntary work	4
	• family company	5
	• joining family	6 >>17
	• creating a family	7
	• international protection (refugees, tolerated stay)	8
	• other (tourist and holiday, business stays, etc.)	9
	• not applicable (child of immigrant(s) born in Poland)	10 >>19

17	Please provide the country of residence before coming to Poland	
 (name of the country)	>>18

18	Please specify the length of stay in Poland <i>In the case of several stays, the total time of staying/living in Poland should be provided – it should be longer or equal to the period provided in the ZG questionnaire Section 1, point A2, field 6. In the case of marking answer "2" provide the number of years</i>	
	▪ less than 1 year	1
	▪ 1 year or more	2 >>19
	number of years	

19	Please specify your knowledge of the Polish language	
	• very good	1
	• good	2 >>19
	• sufficient	3
	• difficulties in communication	4

20	Information was provided by:	
	▪ respondent in person	1
	▪ another household member	2
		Stop

Thank you for answering the questions of the questionnaire

Interviewer's number		Legible signature of the interviewer	Date of interview	
----------------------	--	--	-------------------	--

Republic of Poland
Central Statistical OfficeNATIONAL CENSUS OF POPULATION AND HOUSING 2002
MAY 20th

0/IV. INFORMATION ON PRIVATE HOUSEHOLDS

I. POPULATION, PRIVATE HOUSEHOLDS, FAMILIES

II. ECONOMIC ACTIVITY OF PERSONS

III. NATIONALITY

V. CHARACTERISTICS OF DWELLING

VI. CHARACTERISTICS OF BUILDING

1. Voivodship		2. Powiat	
3. Community (gmina)		4. Town	
5. Precise address of an enumerated dwelling (or other living quarter)	locality		
	street, number of building and number of dwelling		
6. Serial number of building in enumeration district			
7. Number of persons enumerated in the dwelling (or in other living quarter)			
8. Type of enumerated housing unit:			
<p>1 dwelling - a portion of space within a building, set of rooms or one room, including auxiliary rooms, regardless if dwelling on the basis one or more than one legal title</p>			
<p>2 occupied other living quarter..... (fill in type of quarter or object)</p>			
<p>It is a quarter not adapted to housing conditions and occupied temporarily (e.g. attic, laundrette, drying room), moving object (e.g. barrack, caravan, barge) or other quarter, which during the census is place of residence of an enumerated person</p>			
<p>3 collective living quarter..... (fill in the full name)</p>			
<p>It is an object in which stay more persons, for example: dormitory, hall of residence, workers hostel, orphanage, borstal, old people's home, humanitarian aid home, convent home, nunnery, hospital, sanatorium, hostel, hotel, motel, guest house or other place</p>			
<p>..... ← symbol of the type of collective living quarter</p>			

Person No	Family name and given name	Year of birth	Relationship to the head of household	Number of private household
01				
02				
03				
04				
05				
06				
07				
08				
09				
10				
11				
12				
13				
14				
15				

Number of holders of an agricultural farms (plots of land) in the dwelling _____ →

0/IV. INFORMATION ON PRIVATE HOUSEHOLDS

<p>1. What is the main and additional source of maintenance of household?</p> <p><i>Please, fill in only one symbol for each household using explanation:</i></p> <p>a) a source supplying the most incomes for a whole private household,</p> <p>b) a source taking the second position in your incomes.</p>	<p>a) main (from 1 to 17 or 19 – notation as in question 30)</p>	<p>Fill in the number of household</p>
	<p>b) additional (from 1 to 17 or 99 – ‘no concern’)</p>	
<p>2. What is the tenure status of household?</p>	<ul style="list-style-type: none"> • ownership of dwelling or building (which does not belong to a housing co-operative) 1 • membership of a housing co-operative (own and rented dwellings) 2 • main tenant 3 • sub-tenant 4 • relationship (with the owner or main tenant) or for perpetuity 5 • other (i. e. work for the owner of the dwelling, help in household, live in the building of religious institution etc.) – specify 6 	<p>Fill in the number of household</p>

I. POPULATION, PRIVATE HOUSEHOLDS, FAMILIES

1. (a) Surname (family name)
1. (b) Name (given name)
2. Date of birth day month year
3. Sex 1 male 2 female
4. Do you live here permanently and were you present or absent on May 20th at midnight or do you stay here temporarily? <i>If the answer is:</i> -1 go to question 7 -3 give the name of the country of staying -5 give the name of the country of origin 1 live permanently – present → question 7 2 live permanently - absent stay in other place in Poland 3 live permanently - absent stay abroad 4 stay temporarily - arrived from other place in Poland 5 stay temporarily - arrived from abroad name of the country
5. What is the real duration of your absence or staying? <i>If the answer is:</i> -1 in question 5 and 2 or 3 in question 4 - go to question 7 -4 in question 5 - if the person stay abroad or arrived from abroad – fill in the year of departure / arriving 1 up to 2 months 3 between 6 and 12 months 2 between 2 and 6 months 4 12 months and more year of departure / arriving
6. What is the reason of your absence or staying? <i>If the answer is: 1 in the question 5 and 4 or 5 in question 4 - finish enumeration of this person</i> 1 education 2 work 3 family reasons 4 treatment, convalescence 5 living conditions 6 living in health care institution (for children or adult) 7 other (military) 8 refugee (for foreigners) 9 other reasons (specify)

7. What is your relationship to the head of private household? 1 head of household 2 husband - wife 3 cohabitant (common-law partner) 4 son - daughter 5 father - mother 6 father-in-law - mother-in-law 7 son-in-law - daughter-in-law 8 brother - sister 9 grandfather - grandmother 10 grandson - granddaughter 11 other relative <i>(specify: eg. sister-in-law, uncle, niece etc.).....</i> 12 non-relative person <i>(if he / she is a common-law partner of a member of the household please fill in:</i> <p style="text-align: center;">Common-law partner of person No</p> <i>In order to separate the families from household fill in the number of parents to all persons, being children of the member of this household . If there is no parent(s) in enumerated household - fill in: child of person No 0</i> <p style="text-align: center;">Child of person No and No</p> <p style="text-align: center;">No of private household</p>
8. What is your legal marital status? <i>Concern persons born in 1987 and earlier</i> <i>If the answer is:</i> - 2 or 3 or 6 - go to question 9 - 1 or 4 or 5 - go to question 10 1 single (never married) → question 10 2 legally married (and living together) → question 9 3 legally married (living separately) → question 9 4 widower – widow → question 10 5 divorced → question 10 6 legally separated → question 9 <i>(de jure status)</i>
9. When a current marriage was contracted? (civil or religious) <p style="text-align: center;">month year</p>

**I. POPULATION, PRIVATE HOUSEHOLDS,
FAMILIES (cont.)**

EDUCATION

(Questions 10 and 11 concern only persons born in 1989 and earlier)

10. What is your education level ?
(give the highest level of education completed in the educational system)

higher

1 at least doctorate
2 master's degree, degree in medicine or equivalent
3 non-university certificate or diploma (technical institute, licentiate or bachelor or economist)

post-secondary

4 post-secondary with secondary school certificate
5 post-secondary without secondary school certificate

secondary

6 vocational and technical with certificate
7 vocational without certificate
8 general with certificate
9 general without certificate
10 basic vocational

primary

11 primary completed

others

12 primary not completed and no school education

11. Are you attending school?

1 yes, at day school
2 yes, at evening school or week-end school and in extramural system
3 no

DISABILITY

12. Are you limited completely or seriously in basic activities of daily life (up to your age), because of disability or chronic disease?

1 yes, completely
2 yes, seriously
3 no

13. Do you have a valid certificate of disability?

1 yes → question 14
2 no → question 15

DISABILITY (cont.)

14. What is category of legal confirmation of disability?

1 I highest group (status) of disability
2 II medium group (status) of disability
3 III lowest group (status) of disability

MIGRATION

15. What is the country of your birth?

Please give the name of the country of your birth on the basis of international boundaries existing at the time of the census

1 Poland
2 other country (specify)
name of the country

16. What is your citizenship?

If the answer is 2 or 3 – give the name of the country (ies) of citizenship

1 Polish (only)
2 both - Polish and other (specify)
3 only others (specify)
name of the country
name of the country

17. Since when have you lived /stayed in this locality? (urban, rural community - gmina)

If a length of your stay outside a current place of residence in years 1989-2002 was 12 months or more – please fill in answer 3.

If the answer is:
-1 or 2 - go to question 19
-3 - fill in the year (for years 2001 and 2002 - month and year) and go to question 18

1 since birthday → question 19
2 since 1988 or longer → question 19
3 since 1989 or shorter → question 18
month year

**I. POPULATION, PRIVATE HOUSEHOLDS,
FAMILIES (cont.)
MIGRATION (cont.)**

18. Please give the name of previous place of residence and complete the migration questionnaire M

If the answer is:

-1 fill in points a, b, c -2 give the name of the country of previous residence

For persons absent at least 12 months - do not fill in the migration questionnaire M

1 other locality in Poland

- a) voivodship
- b) community (gmina)
- c) type of locality

1 urban areas 2 rural areas

2 abroad

II. ECONOMIC ACTIVITY OF POPULATION

(Questions from 19 to 29 concern persons born in 1987 and earlier)

19. Did you perform any work providing earnings or income or did you help without pay in a family business?

If the answers is: 1 or 2 - go to question 20; 3 - go to question 25; 4 - go to question 28

1 Yes → question 20

2 You temporarily didn't work due to illness, vacation, lay-off, strike etc., but you have a job (did not concern contributing family members) in the reference week (from May 13th to May 19th) → question 20

3 no → question 25

4 lack of response (concerns persons staying abroad) → question 28

MAIN JOB

20. Were you employed during the reference week as (concerns the week from May 13th to 19th):

- 1. full-time paid-employee
- 2. part-time paid-employee
- 3. employer
- 4. own-account worker (without employees)
- 5. agent (in all kind of agencies)
- 6. member of agricultural production co-operative
- 7. contributing family worker
- 8. clergyman/woman

MAIN JOB

21. What is your occupation?

Please specify name of the performed occupation or position or describe main performed activities

.....

22. What is the main kind of economic activity of the company (institution) in which you have main job?

You may also give the name of a company/institution

.....

ADDITIONAL JOB

23. Do you perform any additional job?

If the answer is: 1 - go to question 24; 2 - go to question 28

1 yes → question 24

2. no → question 28

24. What is the main kind of economic activity of the company (institution) in which you have additional job?

You may also give the name of a company/institution.

Go to question 28

.....

SEEKING EMPLOYMENT

(concerns persons who gave answer 3 for question 19)

25. Are you looking for a job actively?

If the answer is: 1 - go to question 26; 2 - go to question 27; 3 - go to question 28

1 yes → question 26

2 no, You have found a job and you have been waiting to start it → question 27

3 no → question 28

26. Would you be able to start working in the week from May 13th to May 19th or next providing that found a job?

1 yes

2 no

27. How long have you been actively looking for a job?

Please, give the number of months

**I. POPULATION, PRIVATE HOUSEHOLDS, FAMILIES (cont.)
HOLDERS AND MEMBERS OF PRIVATE HOUSEHOLDS WITH AN AGRICULTURAL
FARM (PLOT) HOLDER**

28. Are you a holder of an agricultural farm (plot) or are you a member of a household with an agricultural farm (plot) holder?

*If the answer is: 1 - give the size of arable land and go to question 29; 2 - go to question 29;
3 - go to question 30*

- 1 yes, You are a holder of the agricultural farm/plot of (the size of farm or plot) → question 29
2 yes, You are a member of a household with a farm holder → question 29
3 no → question 30

29. Please give the number of months worked in your agricultural farm (plot) within the last 12 months?

SOURCE OF MAINTENANCE

30. What is your main source of maintenance?

(It concerns the first position in your incomes)

incomes from paid-employment

- 1 in public non-agriculture sector
(state and communal establishment)
2 in private non-agriculture sector
(including producers' co-operative)
3 in public agriculture sector
(state and communal establishment)
4 in private agriculture sector
(including producers' co-operative)

incomes from self-employment (own-account work)

- 5 outside agriculture
6 in own private farm (or plot of land)
7 in agriculture outside own private farm
(or plot of land)

non-earned source

- 8 retirement pay
(employee, derivative and combatant)
9 retirement pay of farmers
10 pension resulting from an inability
to work
11 social pension
12 family pension
13 unemployment benefit
14 welfare allowance
15 others (specify)

others incomes

- 16 incomes from owning
17 incomes from leasing

maintained by other persons

- 18 from this household
19 from other household

SOURCE OF MAINTENANCE (cont.)

31. What is your additional^a source of maintenance (the second position in your incomes)?

32. What kind of benefits^b from non-earned source of income do you receive?

...../...../.....

^a Put the number from 1 to 17 from question 30 or 99 - if "no concern", ^b Please use no more than three types of non-earned source of maintenance showed in question 30 (possible answers from 8 to 15)

III. NATIONALITY

33. What is your nationality?

(don't mislead with citizenship in question 16)

If the answer is 2 fill in the name of nationality (only one)

- 1 Polish
2 non-Polish (specify)

34. What is your language most frequently spoken at home?

If the answer is 2 or 3 - fill in the name of one or two languages

- 1 Polish (only)
2 both Polish and other (specify non-Polish)
3 only other (specify)

name of non-Polish language

name of non-Polish language

V. CHARACTERISTICS OF DWELLING

Page 07/A

1. Is this dwelling occupied?	
• yes, and it is only one or main place of residence (at least one for enumerated person)	1
• yes, but it is second place occupied temporarily or seasonal	2
• is not occupied / vacant	3
<i>fill in the symbol of non-occupied</i>	
2. What is the type of ownership of this dwelling?	
• is owned by a private person	1
• is owned by co-operative dwelling	2
• is tenant by co-operative dwelling	3
• is owned by community (gmina)	4
• is owned by state property	5
• is owned by establishment company	6
• is owned by social building company	7
• other type of ownership (specify)	8
3. Is there kitchen in this dwelling?	
• with a window and floor space of 4 m ² and more	
<i>fill in number of kitchens.....</i>	
• without a window or floor space less than 4 m ²	6
• kitchen is a part of a dinning or living room	7
• no kitchen or a kitchen as a separated part of living room	8
4. Number of rooms in this dwelling?	
a) total (do not include kitchen, hall, bathroom, toilet, veranda, pantry etc.)/.....	
b) of which rooms are used exclusively for conducting economic activity (for example: office, study room, workshop etc.).....	
5. Useful floor space of this dwelling (in round m ²)	
a) total (i. e. total floor space of all lodgings in the dwelling: rooms, kitchens, hall, bathroom, toilet, pantry, veranda etc.).....	
b) of which, floor space of dwelling used exclusively for conducting economic activities	

6 - 9. Is there in this dwelling:	
6. a) piped-water ?	
• yes, both hot and cold water	1
• yes, only cold water	2
• no	3
b) piped hot water	
• heating outside the dwelling	1
• heating in dwelling or in one family building	2
7. bathroom with bath-tube and / or shower?	• yes 1 • no 2
8. flush toilet?	• yes 1 • no 2
9. gas?	• yes, piped gas 1 • yes, bottle gas 2 • no 3

10. Type of heating of the dwelling	
collective central heating	• net work 1
	• local source of heating in multi-dwelling building 2
• individual central heating	3
• stores	4
• other (specify)	5
11. The type of fuel or energy used for heating the dwelling (if the answer is 3 or 4 or 5 in question 10 – please give the answer)	
• constant fuel (coke, coal, patent fuel, wood)	1
• gas (gaseous fuel)	2
• liquid fuel (propulsive oil, fuel oil)	3
• electricity	4
• two kinds of fuel (i.e. gas-oil, gas-coal etc.)	5
• others (specify)	6

VI. CHARACTERISTICS OF BUILDING

1. Type of building							
• residential							1
• with total number of dwellings.....							
• residential- inventoried or residential-farmers							2
• institutional-collective living quarters (<i>more than half of it is occupied for hotel, dormitory, convent etc.</i>)							3
• non-residential (<i>more than half of it is occupied for offices, dispensary, school etc.</i>)							4
• reserved for seasonal use							5
2. Who is the ownership of this building?							
• private person							1
• housing co-operative							2
• community (gmina)							3
• state property							4
• working establishment company in public sector							5
• working establishment company in private sector							6
• social building company							7
• other (<i>i.e. religious institutions, foundation, association etc.</i>)							8
• join-ownership (with separate properties of dwellings							
only private persons							9
private persons and community (gmina)							10
private persons and working establishment							11
others							12
• join-ownership without separate property of dwellings							13
3. a) Period of the building construction?						b) If the answer is: 1989 - 2002 - please fill in the year when the building was completed.....	
before 1918	1919 - 1944	1945 - 1970	1971 - 1978	1979 - 1988	1989 - 2002	under construction	
1	2	3	4	5	6	7	
4 - 5. Is there in the building:							
4. water-pipe?							
yes – net work							1
yes – local system							2
no							3
5. sewage?							
yes – connected with sewage system							1
yes – local system							2
no							3

Republic of Poland
Central Statistical Office

NATIONAL POPULATION AND HOUSING CENSUS 2002
MAY 20th

LONG - TERM MIGRATION

Please complete for person being outside the current place of residence for at least 12 months
in 1989-2002

Positions 1-6 are completed by an interviewer on the base of the questionnaire A

<p>1. Voivodship*</p> <p>2. Powiat*</p> <p>3. Community (gmina)*</p> <p>4. Town*</p>	<p>5. Number of questionnaire A*</p> <p>6. Number of person on questionnaire A</p> <p>7. Number of questionnaire M in enumerated dwelling</p> <p style="text-align: right;"><i>*Do not fill in marked by (*) questions (positions)</i></p>
--	--

<p>1. Is the current place of stay your permanent residence ? <i>If "yes" please go to question 5, if "no" – to question 2</i></p>	<table style="width: 100%;"> <tr> <td style="width: 10%;"><input type="radio"/> yes</td> <td style="width: 10%;"></td> <td style="width: 10%; text-align: right;">1</td> </tr> <tr> <td><input type="radio"/> no</td> <td></td> <td style="text-align: right;">2</td> </tr> </table>	<input type="radio"/> yes		1	<input type="radio"/> no		2
<input type="radio"/> yes		1					
<input type="radio"/> no		2					
<p>2. Is your permanent residence in Poland or abroad? <i>If in Poland - go to question 3, if abroad - go to question 4</i></p>	<table style="width: 100%;"> <tr> <td style="width: 10%;"><input type="radio"/> Poland</td> <td style="width: 10%;"></td> <td style="width: 10%; text-align: right;">1</td> </tr> <tr> <td><input type="radio"/> abroad</td> <td></td> <td style="text-align: right;">2</td> </tr> </table>	<input type="radio"/> Poland		1	<input type="radio"/> abroad		2
<input type="radio"/> Poland		1					
<input type="radio"/> abroad		2					
<p>3. Please, give the place of your permanent residence in Poland <i>If it is the same place of permanent residence as has been written in question 18 in questionnaire A – please, do not fill in this question. Then please go to question 8 on the questionnaire M.</i></p> <p>a) voivodship</p> <p>b) powiat</p> <p>c) community (gmina)</p> <p>d) type of locality 1 – urban areas 2 – rural areas</p>							
<p>4. Please, give the name of the country of your permanent residence <i>If it is the same country of permanent residence as has been written in question 18 in questionnaire A – please, do not fill in this question. Then please go to question 8 on the questionnaire M</i> name of the country.....</p>							

<p>5. Was the previous (last) place of your residence in Poland or abroad? <i>If Poland go to question 6, if abroad go to question 7</i></p>	<table style="width: 100%;"> <tr> <td style="width: 10%;"><input type="radio"/> Poland</td> <td style="width: 10%;"></td> <td style="width: 10%; text-align: right;">1</td> </tr> <tr> <td><input type="radio"/> abroad</td> <td></td> <td style="text-align: right;">2</td> </tr> </table>	<input type="radio"/> Poland		1	<input type="radio"/> abroad		2
<input type="radio"/> Poland		1					
<input type="radio"/> abroad		2					
<p>6. Specify your previous (last) place of residence in Poland: <i>If it is the same place of permanent residence as has been written in question 18 in questionnaire A – please, fill only period of staying (6d). Then please go to question 8 on the questionnaire M</i></p> <p>a) voivodship</p> <p>b) community (gmina)</p> <p>c) type of locality 1 – urban areas 2 – rural areas</p> <p>d) period of staying: from: to: month year month year</p>							
<p>7. a) What was the name of the country of your previous residence: <i>If it is the same country of permanent residence as has been written in question 18 in questionnaire A – please, fill only period of staying (7b). Then please go to question 8 on the questionnaire M</i></p> <p>b) period of staying: from: to: month year month year</p>							

8. Has your whole household changed the place of residence?	• yes	1
	• no	2

9. What was the reason of changing the previous (last) place of residence?		
family reasons	• contraction of marriage	11
	• marriage dissolution	12
	• family connection	13
	• others	14
work	• more attractive job	21
	• job loss	22
	• a risk of a job loss	23
	• difficult transport to work	24
	• others	25
housing conditions	• difficult living conditions	31
	• too high cost of living of dwelling	32
	• eviction	33
	• others	34
health	• treatment, convalescence	41
	• better access to health care	42
	• national environment	43
	• others	44
education	• education in school forms	51
	• participation in training occupational programmes (in non-school forms)	52
	• others	53
repatriation		60
refugee (concern foreigners)		70
others (specify)		80

Note: All explanations have been marked by the Italic letters.

10. What was your source of maintenance at the previous place of residence? (Please, give only one, the main source)		
<i>work in agriculture</i>	• <i>in own private farm (plot of land)</i>	<i>1</i>
	• <i>paid-employment</i>	<i>2</i>
<i>work outside agriculture</i>	• <i>own-account</i>	<i>3</i>
	• <i>paid-employment</i>	<i>4</i>
<i>non-earned source</i>	• <i>retirement pay</i>	<i>5</i>
	• <i>pension (resulting from an inability to work, family pension, etc.)</i>	<i>6</i>
	• <i>unemployment benefit</i>	<i>7</i>
	• <i>others</i>	<i>8</i>
<i>other incomes (from owning, leasing)</i>		<i>9</i>
maintained by other persons (fill in one symbol of 1 to 9)		1...
11. Is the current place of stay your destination residence?		
	- yes	1
	- no	2
	- I don't know	3
If "no" – please fill in no more than three reasons of changing the place (use symbols from question 9).		
The answers should be filled in order of importance. Please, stop here the compilation.		
<i>In other cases (answers 1 or 3) – go to question 12.</i>		
I	II	III
12. Which reasons could cause your decision of changing the place of residence? <i>Please, fill in no more than three reasons from question 9 in order of their importance.</i>		
I	II	III

9.6 Tables with data on international migration

TABLE 1. PERMITS FOR RESIDENCE AND TEMPORARY RESIDENCE ISSUED TO EUROPEAN UNION CITIZENS AND MEMBERS OF THEIR FAMILIES^a

CITIZENSHIP	Permits					
	for residence			for temporary residence		
	2004	2005	2006	2004	2005	2006
TOTAL	5871	10077	6321	1154	2183	929
of which:						
Austria	190	295	151	16	34	12
Belgium	193	146	79	24	45	7
Czech Republic	151	186	74	17	23	15
Denmark	207	201	94	30	49	17
Finland	69	52	23	7	28	6
France	1002	896	409	156	181	86
Germany	1421	5090	3945	303	1027	470
Greece	43	67	41	6	11	6
Hungary	72	72	31	8	24	5
Ireland	64	98	33	11	13	4
Italy	433	545	264	80	110	37
Latvia	47	67	17	16	30	9
Lithuania	212	198	102	77	109	42
Netherlands	361	425	194	23	43	21
Norway	50	72	51	86	87	37
Portugal	63	89	58	6	20	34
Slovakia	124	171	65	31	32	10
Slovenia	33	17	3	5	4	-
Spain	135	162	78	53	88	37
Sweden	299	353	158	46	68	21
Switzerland	32	26	29	6	10	-
United Kingdom	601	794	358	135	136	46

a Issued at first instance (by voivod proper in regard to the foreigner's intended place of residence);

TABLE 2. FOREIGNERS WHO RECEIVED PERMIT TO SETTLE AND RESIDENCE FOR A FIXED PERIOD BY CITIZENSHIP

COUNTRY OF CITIZENSHIP	Permits					
	to settle			for residence for a fixed period		
	2000	2005	2006	2000	2005	2006
TOTAL	858	3589	3255	15039	22625	22376
of which:						
Albania	1	1	7	35	101	93
Armenia	75	111	110	669	1418	1199
Azerbaijan	3	11	-	35	40	52
Belarus	52	578	602	701	1829	1647
Brazil	1	3	9	59	89	102
Bulgaria	10	71	42	195	346	497
Canada	2	8	6	98	138	137
China	28	39	13	379	606	383
Croatia	7	13	5	26	66	63
Egypt	-	12	12	60	121	149
Georgia	7	19	25	67	77	84
India	19	68	27	292	604	588
Israel	3	6	3	22	87	89
Japan	4	11	13	121	455	471
Kazakhstan	2	70	85	235	418	277
Korea, Republic of	-	2	2	320	358	488
Libyan Arab Jamahiriya	1	-	2	158	150	101
Moldova	5	45	43	86	221	227
Mongolia	8	34	7	172	369	369
Morocco	1	12	12	36	53	71
Nigeria	6	15	18	66	164	255
Pakistan	4	3	8	43	76	85
Philippines	2	4	4	21	74	72
Romania	2	24	18	82	148	156
Russian Federation	106	353	286	1033	1495	1393
Serbia and Montenegro	9	42	20	140	145	133
Syrian Arab Republic	18	16	10	105	137	148
Tunisia	2	13	10	46	87	208
Turkey	13	57	53	195	504	590
Ukraine	156	1518	1438	3216	8304	7733
United States	11	67	46	506	765	875
Uzbekistan	5	10	6	24	55	63
Viet Nam	83	172	138	1146	1704	1496
Stateless	9	21	13	45	49	51

TABLE 3. FOREIGNERS WHO APPLIED FOR REFUGEE STATUS IN POLAND BY CITIZENSHIP^a

COUNTRY OF CITIZENSHIP	2000	2005		2006	
		total	of which males	total	of which males
TOTAL	4662	6860	3699	7093	3717
of which:					
Afghanistan	301	6	6	17	13
Armenia	844	27	19	48	36
Azerbaijan	147	18	8	8	5
Belarus	63	73	46	70	51
Bulgaria	340	15	8	2	2
China	26	9	8	5	5
Georgia	78	47	34	35	31
Guinea	-	14	14	1	-
India	13	36	36	19	19
Iraq	30	15	13	35	23
Kazakhstan	30	24	9	18	9
Kyrgyzstan	6	18	10	39	25
Moldova	9	19	15	12	7
Nigeria	9	10	10	15	15
Pakistan	30	69	68	66	66
Russian Federation	1182	6248	3242	6405	3166
Sri Lanka	44	6	5	4	3
Syrian Arab Republic	7	7	6	3	3
Turkey	9	11	7	17	16
Ukraine	70	84	47	60	43
Viet Nam	161	23	19	27	24
Stateless	19	15	15	13	13

^a In 2000 - 75 persons, in 2005 - 335 persons, in 2006 - 485 persons were granted refugee status;

TABLE 4. FOREIGNERS WHO RECEIVED PERMIT FOR TOLERATED STAY BY CITIZENSHIP

COUNTRY OF CITIZENSHIP	2005	2006
TOTAL	2073	2133
of which:		
Afghanistan	12	3
Armenia	31	6
Azerbaijan	3	-
Belarus	10	8
Bulgaria	6	-
Cameroon	4	-
China	2	3
India	9	2
Iraq	6	9
Nigeria	15	-
Pakistan	13	3
Russian Federation	1803	2077
Somalia	8	1
Sri Lanka	3	4
Turkey	8	-
Ukraine	20	2
Viet Nam	63	3
Stateless	3	1

TABLE 5. FOREIGNERS STUDYING IN POLAND BY CITIZENSHIP

COUNTRY OF CITIZENSHIP		Students			Graduates ^a	
		total	of which		total	of which males
			males	1 st year students		
TOTAL	2000/2001	6563	3138	1700	764	370
	2004/2005	8829	4018	2291	1178	474
	2005/2006	10092	4812	2690	1326	531
	2006/2007	11752	5793	3580	1306	524
Albania		84	48	23	9	-
Armenia		89	43	30	9	5
Bangladesh		172	170	119	-	-
Belarus		1544	603	513	210	66
Bulgaria		88	36	11	12	7
Canada		314	167	104	30	16
China		110	64	25	6	3
Czech Republic		362	162	184	33	16
France		84	44	20	12	9
Germany		376	217	105	31	19
Hungary		52	26	12	16	8
India		267	203	61	23	17
Iran		59	46	15	2	1
Kazakhstan		431	140	102	65	18
Kenya		53	32	20	2	2
Latvia		55	14	13	16	6
Lithuania		350	128	51	98	37
Moldova		73	32	14	11	5
Mongolia		74	42	26	10	2
Nigeria		172	122	89	6	5
Norway		911	452	268	57	23
Russian Federation		427	181	110	53	18
Slovakia		98	41	17	28	10
Spain		54	37	6	-	-
Sweden		511	270	238	17	6
Syrian Arab Republic		47	41	7	5	4
Taiwan		300	186	75	11	8
Tunisia		58	50	43	2	1
Turkey		61	57	28	1	1
Ukraine		2224	746	623	293	93
United Kingdom		72	51	23	5	3
United States		804	464	216	71	30
Uzbekistan		56	22	14	13	4
Viet Nam		180	107	53	10	2

^a The data on graduates concerns the academic year previous to the indicated.

TABLE 6. FOREIGNERS, WHO RECEIVED WORK PERMIT IN POLAND^a BY CITIZENSHIP

COUNTRY OF CITIZENSHIP	2000	2005	2006
TOTAL	19662	11151	12063
of which:			
Armenia	295	293	277
Austria	324	96	37
Belarus	1467	963	1070
Belgium	190	44	20
Bulgaria	775	108	175
Canada	157	110	94
China	517	240	413
Denmark	246	94	48
France	1226	359	294
Germany	1402	611	398
India	373	459	430
Israel	54	95	81
Italy	404	222	76
Japan	143	335	341
Kazakhstan	88	66	17
Korea, Republic of	362	184	381
Moldova	88	139	630
Mongolia	172	93	93
Netherlands	354	114	64
Philippines	47	57	63
Romania	47	74	72
Russian Federation	836	594	543
Serbia and Montenegro	142	67	69
Spain	79	68	22
Syrian Arab Republic	57	61	59
Turkey	604	420	507
Ukraine	3414	2897	3533
United States	672	461	445
Viet Nam	1230	1067	999

^a Data contains individual permits and permits for foreigners assigned to Poland in order to carry out export services.

Number of individual permits granted to foreigners was: in 2000 - 17802, in 2005 - 10304 , in 2006 -10754.

TABLE 7. REPATRIATION TO POLAND IN 1997-2006

SPECIFICATION	1997- -2006	1997- -2000	2001	2002	2003	2004	2005	2006
Applications concerning repatriation	6873	3609	1051	801	586	171	307	348
applications for a repatriation visa	6276	3345	933	717	552	151	276	302
applications of members of families having nationality other than Polish for temporary residence permit ^a	597	264	118	84	34	20	31	46
Repatriation visas issued	4015	1537	804	613	301	269	252	239
Persons who arrived within repatriation	5293 ^b	1972	1000	832	455	372	335	327

a Since September 2003 - applications for permit to settle.

b Besides - on the basis of Art.109 of the Act on Aliens of June 25, 1997 (Journal of Laws No. 114, item 739, with later amendments) 297 persons were acknowledged as repatriates; on the basis of Art. 16 and 41 of the Act on Repatriation 685 persons were acknowledged as repatriates by voivods.
In total, 6275 persons settled in Poland within the repatriation in 1997-2006.