Baker McKenzie.

I Am Here: obtaining your identification and vital documents

**Poland** 

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## **National Identification Cards**

# What type of document can youth seek which will allow them to move around the country?

For Polish citizens the only official documents of identification valid in Poland are the National ID card (*dowód osobisty*) or a passport (*paszport*). An adult (meaning over 18 years old) Polish citizen living in Poland is obliged to have a valid National ID card.

**Source**: Dokument potwierdzający tożsamość i obywatelstwo - Portal Interoperacyjności i Architektury - Portal Gov.pl; <a href="https://www.gov.pl/web/mswia/dokumenty-potwierdzajace-tozsamosc-i-polskie-obywatelstwo">https://www.gov.pl/web/mswia/dokumenty-potwierdzajace-tozsamosc-i-polskie-obywatelstwo</a>

Although it is not an official identification document most of the persons below 18 have a school ID which is often used by ticket inspectors and the police to identify minors.

Source: Od 13 lipca nowo wydawane legitymacje szkolne tylko w formie plastikowej karty | Serwis Samorzadowy PAP

### What is the process for getting a National ID card?

About the ID card: https://www.gov.pl/web/gov/dowod-osobistv-informacie

#### Age Requirements

Each Polish citizen can have a National ID card. All adult (over 18 years old) Polish citizens living in Poland must have a National ID card.

If you are over 18 you can apply for a National ID card yourself. If a person is married before turning 18 they can apply by themselves as well, but this is a rare instance applying only to women and a guardianship court has to consent to such marriage. You can also apply yourself if you apply no sooner than 30 days before your 18<sup>th</sup> birthday.

If you are under 18, one of your parents, guardian or custodian must apply for you. Children aged 12 and above must visit an office within 30 days to complete the fingerprints and signature template. Children older than 5 and younger than 12 must be in person when collecting the National ID card if they were not present when applying. Children of 12 and above need to be present when picking up the National ID card.

Source: <u>Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl -</u> section "Who submits the application" ("*Kto składa wniosek*"); <u>https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty-dladziecka-lub-podopiecznego</u> – section "Who submits the application" ("*Kto składa wniosek*"); <u>Dowody osobiste</u> – pytania - Warszawa 19115

#### **Method of Application**

To apply online you will need a trusted profile ePUAP, a qualified electronic signature or a personal signature certificate (the last two are rarely used). If you have never had a National

ID card you will not yet have an e-ID which is needed for an ePUAP mailbox. If you apply online you have 30 days to visit an office to complete the fingerprints and signature template. You must collect your National ID card in person at the municipality office where you applied.

To apply in the office (any municipal office) you don't need to prepare any paperwork. You may fill out the application at the office or you can provide information to the clerk and data will be taken from the PESEL register. You should take a colour photograph meeting the requirements described below.

It is possible to apply from a place of residence in case of illness, disability or other insurmountable obstacle. Contact the municipality or the city authority. You can find a list of authorities accepting applications from a place of residence on this page by clicking the "out of office" ("poza urzędem") option. In such case the National ID card can be collected by you at the office, by another person (an attorney-in fact) or an official will deliver it to you if the illness, disability or other unsurmountable obstacle remains, but only if you are still on the territory of the same municipality to which you applied and all certificates in the National ID card are activated to permit confirmation of your identity.

Source: <a href="https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty">https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty</a> – section "What must you do" ("Co musisz zrobić")

#### What is required?

Online: trusted profile ePUAP with login information and a mobile phone, a qualified electronic signature or e-ID and a colour photograph in electronic form.

In Person: a colour photograph on 35x45 mm photo paper, current ID (if you have one).

If you were not born in Poland and have obtained Polish citizenship you will need a document to provide your identity.

**Source**: <a href="https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty">https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty</a> – section "What must you prepare" ("Co musisz przygotować")

### What are the photo requirements?

The most basic requirements are (most photographers have the format ready; currently even certain photobooths allow for making of National ID card photos):

- electronic form (if you apply online) or a physical one (if you apply in person),
- colour,
- minimal photo resolution: 492 x 633 pixels,
- maximal size: 2.5 MB (if you apply online),
- dimensions: 35 x 45 mm (width x height), and

 additional requirements regarding your appearance on the photo (available under the link below).

Source: https://www.gov.pl/web/gov/zdjecie-do-dowodu-lub-paszportu

#### How much does it cost?

It's free.

**Source**: <a href="https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty">https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty</a> – section "How much will you pay" ("*Ile zapłacisz*")

How long does it take?

It takes a maximum of 30 days since the day you submitted your fingerprints. It may take longer in certain cases but the official should inform you about it. You must pick up your National ID card in person.

If you have the number of your application you can check free of charge if your National ID card is ready for pick up at: <a href="Sprawdź, czy dowód osobisty jest gotowy - Gov.pl">Sprawdź, czy dowód osobisty jest gotowy - Gov.pl</a> - Portal Gov.pl. If you agreed to it when applying you can also be notified by SMS or email.

**Source**: <a href="https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty">https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty</a> – section "How long will you wait" ("*lle będziesz czekać*")

### Where can I find information online about getting a National ID card?

For different documents including the National ID card:

https://www.gov.pl/web/gov/uslugi-dla-obywatela/#dokumenty-i-dane-osobowe

<u>Dokument potwierdzający tożsamość i obywatelstwo - Portal Interoperacyjności i Architektury - Portal Gov.pl</u>

More for the National ID card only:

https://www.gov.pl/web/gov/dowod-osobisty-informacje

https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty

https://www.gov.pl/web/gov/uzyskai-dowod-osobisty-dla-dziecka-lub-podopiecznego

Wydanie dowodu osobistego - Warszawa 19115

What documents do I have to have to get a National ID card? Is there any document that I must have to get a National ID card?

To fill out the application document (<a href="https://www.gov.pl/attachment/6fd84906-d6cb-47d5-87f8-01bf7c984b3a">https://www.gov.pl/attachment/6fd84906-d6cb-47d5-87f8-01bf7c984b3a</a>), you will need

 your PESEL number. You should already have gotten your PESEL number automatically if you are Polish, born in Poland to parents from EU countries or groups of other foreigners who obtained certain stay or residence permits, applied for permanent residence in Poland, and in other cases. If you don't have a PESEL number the authority responsible for issuing the National ID card should start proceedings to grant you a PESEL number.

Source: https://www.gov.pl/web/gov/czym-jest-numer-pesel.

See how to get your PESEL number if you don't have one yet by navigating down to "Who and when can you get a PESEL number" ("Kto I kiedy może otrzymać numer PESEL") on the above website. To see how to obtain a PESEL number for a foreigner please see: Obtain a PESEL Number – a service provided to foreigners - Gov.pl - Portal Gov.pl, but please note that a National ID card is issued to Polish citizens only.

 a picture - see here what criteria your picture must meet: https://www.gov.pl/web/gov/zdjecie-do-dowodu-lub-paszportu

Also, your current National ID card or a valid passport - if you have one. If not, bring another document with a photo of yourself.

**Source**: <u>Uzyskaj dowód osobisty - Gov.pl</u> - Portal Gov.pl – section "What must you prepare" ("Co musisz przygotować")

### What if my documents do not have my correct name/address?

To get a National ID card you are identified by your PESEL number and have to provide your address on the application sheet. However, the procedure does not require presenting proof of address. A National ID card does not include address information. However, if the data (e.g., your name) in the PESEL register is incorrect, you may need to correct the information in the PESEL register. If both the information in the PESEL register and your documents is wrong you will need to correct the documents first in one of many different procedures depending on the document.

An application can be made to verify the data in the PESEL register and if the authority confirms an inconsistency between the data contained in the PESEL register and the documents in his possession (e.g., delivered by you) or with the facts, he should correct the relevant inconsistency or inform an authority authorised to correct such information - there are currently 12 different authorities having different authorisations to correct the PESEL register depending on the incorrect information in the PESEL register.

Source: Wniosek o sprawdzenie danych i usunięcie niezgodności w rejestrze PESEL lub rejestrze mieszkańców

#### What if I only have foreign documents?

Please note that a National ID card can be obtained by Polish citizens only. To get one you need a PESEL number and a photo. You should already have gotten your PESEL number automatically if you are Polish, born in Poland to parents from EU countries or groups of other foreigners who obtained certain stay or residence permits, applied for permanent residence in Poland, and in other cases. If you don't have a PESEL number the authority responsible for issuing the National ID card should start proceedings to give you a PESEL number.

Source: Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl

There are other documents which can be given to foreigners such as residence card or a Foreigner's Polish Identity Card.

### Source: MOS - Documents issued to foreigners - general information

A residence card can be given to you if you received a permanent or temporary residence permit, a permit for long-term EU residence or a permit for humanitarian reasons. A residence card confirms your identity and allows you to cross borders without a visa but only if you have another travel document (e.g., foreign passport). Generally, it can be issued to you by a voivode who gave you a relevant permit (or a person from the border guard if you received a permit for humanitarian reasons) for a fee of PLN 100. You will need to give your fingerprints and if you are over 13 years old you will need to collect the card yourself. If you are below 13 a parent or a custodian will need to do it for you.

A Foreigner's Polish Identity Card can be issued if you are a child (below 18) born in Poland and living in Poland without your parents (subject to certain conditions), have a certificate stating that you were a human trafficking victim or you are a stateless person. Such document may be given to you if you do not have a travel document (e.g., a passport) and it is not possible for you to obtain another document proving their identity. Such document is valid for one year and confirms your identity but not your nationality and cannot be used to leave the country. It is issued by a provincial governor for a fee of PLN 100. A Foreigner's Polish Identity Card for a child is issued free of charge if the document is issued by the authority of its own motion. 50% relief may be given if someone is in a difficult financial position. A guardian decided on by the guardianship court must apply for a minor if the card is not issued by the authority on its own. If you are over 13 years old you will need to collect the card yourself. If you are below 13 a parent or a custodian will need to do it for you.

Either way your stay in Poland needs to be legal.

Source: MOS - Documents issued to foreigners - general information

### What happens if my documents are not accepted to get a National ID card?

The authority may refuse to grant you a National ID card in two cases: (i) the photo is wrong, or (ii) the application violates the provisions of the relevant act (vague reason but a legal one; e.g., a foreigner applies). The requirements for the photo to be accepted are listed here: <a href="https://www.gov.pl/web/gov/zdjecie-do-dowodu-lub-paszportu">https://www.gov.pl/web/gov/zdjecie-do-dowodu-lub-paszportu</a>. If the photo is not accepted, you will be asked to return with a new photo.

The process to obtain a National ID card requires only a PESEL number and a photo, so there are not many reasons not to accept your application if you're Polish. A decision refusing to issue a National ID card can be appealed to a provincial governor (*wojewoda*). The appeal should be submitted to the provincial governor (*wojewoda*) through the authority who issued the decision. The appeal should be considered within 14 days from its submission.

Source: Odmowa wydania dowodu osobistego lub paszportu - Powroty.gov.pl - ZL

### Do I have to be a resident of the country to obtain a National ID card?

You have to be a Polish citizen but you don't have to live in Poland, so Polish citizens living abroad can also apply for a National ID card. However, you must be in Poland at the time you apply.

**Source**: <u>Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl</u>- section "Who submits the application" ("*Kto składa wniosek*").

### What does it mean to be a resident of this country? How do I prove residency?

It means a person who has personal or work-related ties with the country and regularly or usually live in Poland. The rules relating to obtaining permits, visas or other authorisations vary for people from EU/EEA countries and Switzerland, Schengen countries and for other persons.

Source: Getting a driving licence in the EU - Your Europe; Entry and residence rules - Ministry of the Interior and Administration - Gov.pl website

If you live in Poland - register for permanent or temporary residence.

Permanent residence means residence in a given place at a specific address with the intention of living there permanently. Temporary residence means residing, but not planning to change the place of permanent residence, in another place at a given address or in the same place but at a different address.

Source: Obowiązek meldunkowy cudzoziemców | Gmina i Miasto Czerwionka-Leszczyny

You do not have to register if you know that your stay in Poland will not exceed 30 days - for example, if you spend your holiday in Poland. You should register on the 4th day of residence in Poland, at the latest. Generally, registration is the easiest way to claim and prove residency together with a valid document permitting your stay if you're not a Polish citizen.

Parents or other legal representatives (e.g., a guardian) apply for registration for their wards.

Source: Registration obligation – information - Gov.pl - Portal Gov.pl; Register for permanent or temporary residence (for foreigners) - Gov.pl - Portal Gov.pl; Obowiązek meldunkowy cudzoziemców | Gmina i Miasto Czerwionka-Leszczyny

To register for permanent or temporary residence you will need to complete a declaration form, have a valid travel document (e.g., passport), a document confirming your right to live in the indicated property (legal title to the property) and one of the following permits: a residence card issued in connection with granting of a permanent residence permit, a residence permit for a long-term EU resident, a residence permit for humanitarian reasons, subsidiary protection or granting of refugee status in Poland, or a permit for tolerated stay, or a permanent residence permit, or a long-term EU resident's residence permit, or a decision to grant refugee status in the Republic of Poland, subsidiary protection in the Republic of Poland, a residence permit for humanitarian reasons or a permit for tolerated stay.

This is a free of charge service.

The official will immediately accept your application. If there are grounds for assigning a PESEL number – you will receive notice of assignment of the PESEL number.

Source: Register for permanent or temporary residence (for foreigners) - Gov.pl - Portal Gov.pl

Polish and EU/EEA and Swiss citizens do not face liability for failure to register. However, other foreigners may receive a fine if they fail to register.

Source: Koniec kar za brak meldunku - Infor.pl

### What can I do if I do not have residency in this country?

You don't have to live in Poland to get a National ID card, as Polish citizens living abroad can also apply. However, you must be in Poland at the time you apply.

**Source**: <u>Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl</u> - section "Who submits the application" ("*Kto składa wniosek*").

If you're not Polish then the first step would be to contact your embassy and ask what document you could get without going back to your country.

A Polish travel document for a foreigner can be issued to a foreigner who lost their travel document or if it was destroyed or it expired and it is not possible for them to obtain a new travel document but only if a foreigner received: a permanent residence permit, a permit for long-term EU residence, subsidiary protection or a permit for humanitarian reasons. It is valid for 1 year. The first one costs PLN 350 but 50% relief can be given if someone is in a difficult financial position or for foreigners who on the date of the application were below 16.

A temporary Polish travel document for a foreigner can be issued to a foreigner who does not have a travel document and it is not possible for them to obtain a new travel document, when the foreigner plans to leave Poland or was ordered to leave Poland. A temporary Polish travel document for a foreigner entitles them only to leave Poland. It is valid for the time it was given for, no longer than seven days. It costs PLN 50 to obtain one but 50% relief can be given if someone is in a difficult financial position or for foreigners who on the date of the application were below 16.

Source: Inne dokumenty wydawane cudzoziemcom - Portal informacyjny dla cudzoziemców - Kujawsko-Pomorski Urząd Wojewódzki w Bydgoszczy

Please also note the registration obligations - Registration obligation - information - Gov.pl - Portal Gov.pl; Register for permanent or temporary residence (for foreigners) - Gov.pl - Portal Gov.pl

### Will I need a mailing address? What can I do if I am homeless?

An application for obtaining a National ID card includes a mailing (service) address. If you are homeless it may be advised to agree with a local charitable organisation or a church that you will use their address for the purposes of obtaining a document. It is best to discuss your situation at the municipality office where you want to apply.

**Source**: Template of National ID card application

### What is the application process? Can I complete it online?

The application process is free of charge. As a Polish citizen you should already have a PESEL number (if you do not have one, it will be given to you after you apply for a National ID card). To apply you will need only your PESEL number and a photo meeting the requirements described here - <a href="https://www.gov.pl/web/gov/zdjecie-do-dowodu-lub-paszportu">https://www.gov.pl/web/gov/zdjecie-do-dowodu-lub-paszportu</a>. You can complete it online if you have a trusted profile ePUAP, a qualified electronic signature or eID.

Source: Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl

- Prepare:
- (a) Prepare a picture for your ID, you can check here all the conditions that you photo should meet: https://www.gov.pl/web/gov/zdiecie-do-dowodu-lub-paszportu
- if you are a person who obtained Polish citizenship prepare a travel document (e.g., a passport) or another document confirming your identity.

Source: <u>Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl</u> – section "What must you prepare" ("Co musisz przygotować")

- Submit your application
- (a) online if you have a trusted profile ePUAP, a qualified electronic signature or eID;
- b) at any municipality office;
- (c) if you cannot go to an office because of sickness, disability or other insurmountable obstacle you can apply from your location. Contact the municipality office - check all the receiving authorities you can send in your application to:

https://www.gov.pl/attachment/554982c4-e878-48d0-b589-012af7655166.

Source: Uzvskai dowód osobisty - Gov.pl - Portal Gov.pl

- 3. Receive confirmation of your application
- 4. Pick up your document
- (a) You will have to wait for a maximum of 30 days; the deadline may be longer in some cases but an official should let you know.
- (b) Check if your document is ready by entering your application number that you received after submitting your documents here: <a href="https://www.gov.pl/web/gov/sprawdz-czy-dowod-osobisty-jest-gotowy">https://www.gov.pl/web/gov/sprawdz-czy-dowod-osobisty-jest-gotowy</a>.
- You can pick up your National ID card at the office and you should pick it up in person. If you cannot collect it in person because of sickness, disability or other insurmountable obstacle you can authorise another person to do so, but you should

inform the municipality office. You (or the authorised person) should have your old National ID card if you had one.

Source: Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl

### Is there an application fee? Is there a waiver option if I cannot afford to pay it?

No. this service is free.

Source: <u>Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl</u> – section "How much will you pay" ("*Ile zapłacisz*"):

## How old do I have to be to apply for a National ID card by myself?

To apply by yourself you need to be at least 30 days before your 18<sup>th</sup> birthday.

**Source**: <u>Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl</u> - section "Who submits the application" ("*Kto składa wniosek*")

## What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

Your parent or a guardian can apply for a National ID card for you online if they have a "trusted profile ePUAP", a qualified electronic signature or eID. But if you are 12 or older your parent or guardian will have 30 days to take you to the office to provide your fingerprints and your sample signature.

Source: Uzvskaj dowód osobisty dla dziecka lub podopiecznego - Gov.pl - Portal Gov.pl

You cannot get a passport or a National ID card as a person below 18 years old without cooperation with your legal representative such as a parent or a guardian. Discuss your situation at the municipality office where you want to apply for a National ID card.

Source: <u>Uzyskaj dowód osobisty dla dziecka lub podopiecznego - Gov.pl - Portal Gov.pl;</u> Uzyskaj paszport – usługa dla osoby dorosłej - Gov.pl - Portal Gov.pl

If all other attempts have failed, you can contact the Ombudsman for Children (Kontakt – Rzecznik Praw Dziecka) and ask them to intervene for you. The Ombudsman for Children may ask public institutions to provide the necessary information, as well as to provide files and documents including those containing personal information.

Source: Czym zajmuje się Rzecznik Praw Dziecka? – Rzecznik Praw Dziecka

## At what age can I get a National ID card by myself?

You have to be 18 to get a National ID card. You can apply no sooner than 30 days before your 18<sup>th</sup> birthday. **Source**: <u>Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl</u> - section "Who submits the application" ("*Kto składa wniosek*")

If you are below the age of 18, you will need a parent, legal guardian or custodian. There is a difference on requirements depending on whether you are above or below the age of 12 years old.

If you are below 12, your parent, legal guardian or custodian needs to follow the steps here: Uzyskaj dowód osobisty dla dziecka lub podopiecznego - Gov.pl - Portal Gov.pl.

If you are between 12 and 18 years old, your parent, legal guardian or custodian needs to follow the steps here: <u>Uzyskaj dowód osobisty dla dziecka lub podopiecznego - Gov.pl</u> - Portal Gov.pl. You will need to go to an office and give your fingerprints and signature to obtain a National ID card.

Source: https://www.gov.pl/web/gov/uzyskaj-dowod-osobisty-dla-dziecka-lub-podopiecznego

## Are there any special provisions for foster youth (children in custody of the government)?

No, the process is the same for youth with parents as for youth with guardians or custodians.

**Source**: <u>Uzyskaj dowód osobisty dla dziecka lub podopiecznego - Gov.pl</u> - Portal Gov.pl - section "Who submits the application" ("*Kto składa wniosek*")

### Are there any special provisions for homeless youth?

No.

#### Will I have to take a test?

No.

### If applicable, do I have to make an appointment to take the test?

N/A

### Are there any identity documents issued to foreigners?

A foreigner (depending on his circumstances) may obtain:

- a residence card.
- a Polish travel document for a foreigner,
- a Polish identity document for a foreigner,
- a temporary Polish travel document for a foreigner,

a document certifying possession of a 'permit for tolerated stay'.

In each case your stay in Poland needs to be legal and supported by a document giving you a right to stay. Please click the link below for more information.

Source: MOS - Documents issued to foreigners – general information

## **Driver's License**

### What organization issues a driver's license in this country?

A driver's license in Poland is issued by the relevant regional or local administrative authority. To be specific, a driver's license is issued by: (i) in case of a regular county district (*powiat*) - the county district governor (*starosta*); or (ii) in case of cities with county district rights (meaning generally, the bigger cities) – the mayor (*prezydent miasta*).

The documents, including the application, are submitted either in county district authority office (case (i)) or the city hall (case (ii)) or a neighbourhood office (*urząd dzielnicy*; if applying in Warsaw).

**Source:** <u>Uzyskaj prawo jazdy - Gov.pl - Portal Gov.pl</u> - section "Gdzie składasz dokumenty" - available in Polish only.

Tests are organised by Provincial Road Traffic Centres called WORD in Polish. Before attempting to pass them, new drivers are obliged to enrol for a driving course. There are a variety of driving schools in each city and even smaller towns, although exams are conducted only in those which host WORD facilities. Courses are paid (around PLN 2700-4000¹, depending on a driving school) and include 30 hours (school hours of 45 minutes) of theoretical lectures and 30 hours (clock hours) of practicing actual driving. There are even schools offering instructions in foreign languages, but it depends again on the city you want to learn in.

Don't know where to find your nearest WORD?

Take a look at the list or the map!

**Source:** <a href="https://www.careersinpoland.com/article/arrival-and-stay/hit-the-road-jack-getting-driving-licence-in-poland">https://www.careersinpoland.com/article/arrival-and-stay/hit-the-road-jack-getting-driving-licence-in-poland</a>

### What is the process for getting a driver's license?

- Go to a doctor who examines drivers and driver candidates (in general it is a "labour medicine doctor") – often one cooperates with a driving school where you undergo or will undergo your training;
- prepare the documents required;
- submit the documents in person or by post to the relevant county district authority
  office (urząd starostwa powiatowego) or a city mayor's office or a neighbourhood
  office (urząd dzielnicy; if applying in Warsaw)\*;
- <sup>1</sup> The amount in the source material is different but it's an old article. Other information remains up-to-date.

- 4. pick up the PKK (driver candidate profile) number from the same office (if documents are submitted by post, the number will arrive also by post) - you will receive the PKK immediately if the application is complete upon submission, within two days if the office needs to verify your information; within a month if the office must verify your circumstances; within two months if your circumstances will require additional verification (the criteria are vague);
- 5. take the driving training course and following passing the training course pass the exam (the theoretical exam can be passed without a course at the Provincial Road Traffic Centre (WORD), but the practical exam can be completed only after a practical training course);
- 6. once the exam is completed, WORD will notify the relevant office;
- pay PLN 100 for issuing the driving license; you can pay at the office cash desk or by bank transfer (a confirmation of payment should be submitted with the application to issue the driver's license);
- get the driver's license.

\* please note that if another person applies for you there is a separate stamp duty for a power of attorney (currently PLN 17)

Source: https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy - section "Co musisz zrobić"

### Where can I find information online about getting a driver's license?

https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy

<u>Issuing a driving licence for the first time (cat. AM, A1, A2, A, B1, B, T) - Warszawa 19115</u> (official website of Warsaw's City Contact Centre Warszawa 19115) – it applies generally to Warsaw but the procedure is similar in all cities.

What documents do I have to have to get a driver's license? Is there any document that I must have to get a driver's license?

Documents needed for a driving license:

- application, which can be downloaded from <a href="https://www.gov.pl/attachment/d87c1645-beac-45c2-9ad0-975459b9dc2f">https://www.gov.pl/attachment/d87c1645-beac-45c2-9ad0-975459b9dc2f</a>;
- medical certificate from a specialized doctor that shows you are allowed to drive;

- 3. actual photo (35x45 mm, colour, whole head, no more than six months old);
- 4. ID card or passport; in case of foreigners a passport or residence permit;
- 5. a document to confirm a registered address (usually the ID, however, newer ID cards do not include that information so a certificate of residence registration can be obtained from the relevant office; if the registered address is not available, ask at the office):
- consent of a parent or a legal guardian if turning 18 soon; the consent needs to be given in person at the office, in order to be able to take the driving training course and have the license issued:
- 7. a psychologists decision that there are no psychological issues for driving for special categories (e.g., trucks, buses) not necessary in case of the most basic car driving license (category B).

**Source**: <a href="https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy">https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy</a> - section "Co musisz przygotować"

### What if my documents do not have my correct name/address?

If the details in your driver's license (or a temporary electronic driver's license) are incorrect you need to submit a report.

- Visit the following website:
- (a) https://www.gov.pl/web/gov/zglos-rozbieznosc-w-danych-prawa-jazdy
- (b) Select the first option "Report a discrepancy in a driving license details" ("*Zgłoś rozbieżność w danych prawa jazdy*") or "Report a discrepancy in a temporary driving license details" ("*Zgłoś rozbieżność w danych tymczasowego prawa jazdy*").
- (c) Complete the application. [See what you will need below].
- (d) Read and accept the personal data processing clause.
- (e) Submit a report. You will receive a confirmation email with your application number within 24 hours.
- (f) You will receive an answer within 30 days. If the case is particularly complicated up to 60 days. If the matter concerns a temporary electronic driving license, the authorities aim to provide a response within seven days.

#### What you need to prepare:

- driving license,
- data needed to complete the application:
  - name.

- last name,
- PESEL.
- e-mail address to which you would like to receive confirmation of submission of your application,
- if the data is incorrect, e.g., incorrectly entered driving license or document data:
  - a description of what the discrepancy concerns. Provide all information about the incorrect data. A detailed description of the discrepancies will speed up the processing of your case.
- if the discrepancy was found during a road traffic inspection:
  - who carried out road traffic control.
  - road traffic control date.

The issue should be resolved within 30 days or 60 days in the event that the issue is particularly complex (again vague). If the issue is connected to a temporary electronic driver's license the office should try to respond within seven days (given that such driver's license is valid for only 30 days from passing of the practical exam – see more in question 21).

Source: https://www.gov.pl/web/gov/zglos-rozbieznosc-w-danych-prawa-jazdy

### What if I only have foreign documents?

Instead of a Polish ID card or a passport, you may need to use a residence card, visa, or other document that confirms your legal stay in Poland, or a certificate that you have been studying in Poland for at least six months and still be asked to present a foreign identity document.

**Source**: <a href="https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy">https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy</a> - section "What must you prepare" ("Co musisz przygotować"); <a href="lssuing a driving licence for the first time (cat. AM, A1, A2, A, B1, B, T) - Warszawa 19115</a>

Note that if you have a driving licence that has been issued in the EU or in an EFTA member state, your driving licence remains valid in Poland until its expiry date. However, this does not apply to temporary driving licenses.

Source: https://www.gov.pl/web/your-europe/acquiring-and-renewing-a-driving-licence

### What happens if my documents are not accepted to get a driver's license?

Depends on the document not accepted. As a rule an official may not refuse to accept an application but often the officials will tell you if something obvious is wrong with your application (including the attachments) straight away to let you correct any shortcomings. However, if an application is submitted at an office and it does not include the address of the applicant and such address cannot be established, an application will not be considered. If

there are other deficiencies the authority should ask you to deliver the missing documents or information (e.g., translations).

If the photo does not meet the criteria an official may decline to accept the application and you may need to make a new one and submit the application again.

### Source: BIP - Starostwo Powiatowe w Bydgoszczy - WYDANIE PRAWA JAZDY

An official way to challenge the authority's decision if the authority declines to issue a driver's license for you, is to appeal to the Local Government Appeal Board (*Samorządowe Kolegium Odwoławcze*). You have 14 days to do so. You should submit the appeal at the office which issued the negative decision.

**Source**: <u>Uzyskaj prawo jazdy - Gov.pl - Portal Gov.pl</u> – section "How long will you wait" ("*lle bedziesz czekać*").

### Do I have to be a resident of the country to get a driver's license?

A Polish driving license can be obtained by a foreigner if that person has lived legally in Poland for at least 185 days.

**Source**: <a href="https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy">https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy</a> - section "Who can obtain" ("*Kto może uzyskać*")

### What does it mean to be a resident of this country? How do I prove residency?

It means a person who has personal or work-related ties with the country and regularly or usually lives in Poland. The rules relating to obtaining permits, visas or other authorisations vary for people from EU/EEA countries and Switzerland, Schengen countries and other persons.

**Source**: <u>Getting a driving licence in the EU - Your Europe</u>; <u>Entry and residence rules - Ministry of the Interior and Administration - Gov.pl website</u>

If you live in Poland - register for permanent or temporary residence.

Permanent residence means residence in a given place at a specific address with the intention of permanently living there. Temporary residence means residing, but not planning to change the place of permanent residence, in another place at a given address or in the same place but at a different address.

Source: Obowiazek meldunkowy cudzoziemców | Gmina i Miasto Czerwionka-Leszczyny

You do not have to register if you know that your stay in Poland will not exceed 30 days - for example, if you spend a holiday in Poland. You should register on the 4th day of residence in Poland, at the latest. Generally, the registration is the easiest way to claim and prove residency together with a valid document permitting your stay if you're not a Polish citizen.

Parents or other legal representatives (e.g., a guardian) apply for registration for their wards.

Source: Registration obligation – information - Gov.pl - Portal Gov.pl; Register for permanent or temporary residence (for foreigners) - Gov.pl - Portal Gov.pl; Obowiązek meldunkowy cudzoziemców | Gmina i Miasto Czerwionka-Leszczyny

To register for permanent or temporary residence you will need to fill out a declaration form, have a valid travel document (e.g., passport), a document confirming your right to live in the indicated property (legal title to the property) and one of the permits: a residence card issued in connection with granting of a permanent residence permit, a residence permit for a long-term EU resident, a residence permit for humanitarian reasons, subsidiary protection or granting of refugee status in Poland, or a permit for tolerated stay, a permanent residence permit, or a long-term EU resident's residence permit, or a decision to grant refugee status in the Republic of Poland, subsidiary protection in the Republic of Poland, a residence permit for humanitarian reasons or a permit for tolerated stay.

This is a free of charge service.

The official will immediately accept your application. If there are grounds for assigning a PESEL number – you will receive notice of assignment of the PESEL number.

Source: Register for permanent or temporary residence (for foreigners) - Gov.pl - Portal Gov.pl

Polish and EU/EEA and Swiss citizens do not face liability for failure to register. However, other foreigners may receive a fine if they fail to register.

Source: Koniec kar za brak meldunku - Infor.pl

### What can I do if I do not have residency in this country?

Foreign nationals visiting or planning to live in Poland can use their driving license from their home country for up to six months. After this period, they must obtain a Polish driving license. The six-month period starts from the date of their arrival in Poland, not the date they obtained their driving license.

Source: Poland - Driving Licenses - Expat Focus

Again, a Polish driving license can be obtained by a foreigner if that person has legally lived in Poland for at least 185 days.

**Source**: <a href="https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy">https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy</a> - section "Who can obtain" ("*Kto może uzyskać*")

An International Driving Permit (IDP) is recognized in Poland. However, it's important to note that an IDP is not a standalone document. It must be accompanied by your original driving license from your home country.

An IDP is valid for one year from the date of issue. If you're planning to stay in Poland for longer than a year, you'll need to obtain a Polish driving license.

Source: Poland - Driving Licenses - Expat Focus

### What is the application process? Can I complete it online?

The documents must be submitted in person or by post to the county district authority office (*urząd starostwa powiatowego*) or a city mayor's office or a neighborhood office (*urząd dzielnicy*; if applying in Warsaw) or in the place of residence.

The exam will be in person.

Source: <a href="https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy">https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy</a> - section "What must you do" ("Co musisz zrobić")

### Is there an application fee? Is there a waiver option if I cannot afford to pay it?

There is no application fee in order to submit the documents.

The only official application fee is for issuing the driving license, of PLN 100 (approx. 22 euros) and a stamp duty if someone is applying for you on the basis of a power of attorney (PLN 17).

Source: <a href="https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy">https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy</a> - section "How much will you pay" ("*Ile zapłacisz*")

However, there are other costs:

- issuing a medical certificate;
- taking the theoretical and practical courses;
- taking the exams.

Source: <a href="https://www.expatinpoland.pl/driving-license-in-poland/#:~:text=Total%20Cost%20of%20Driving%20License%20in%20Poland&text=The%20course%20itself%20variate%20between%201500%20z%C5%82%20to%203000%20z%C5%82%20per%20category.">https://www.expatinpoland.pl/driving-license-in-poland/#:~:text=Total%20Cost%20of%20Driving%20License%20in%20Poland&text=The%20course%20itself%20variate%20between%201500%20z%C5%82%20to%203000%20z%C5%82%20per%20category.</a>

The costs of the exam vary between provinces (voivodeships) but the law provides that a maximum amount is PLN 50 for a theoretical exam and PLN 200 for the practical exam for the most common vehicle driving licenses. Certain disabled persons who received a medical certificate with information that they may drive after adjusting the vehicle to their disability can take the practical exam without paying the fee for the practical part of the exam.

Source: Wyższe opłaty za egzamin na prawo jazdy

### How old do I have to be to apply for an state driver's license by myself?

The categories of vehicles and how old you have to be to get a driver's licence to drive them are set out below:

- Moped / Light Quadricycle (for example a small guad bike) age 14.
- Motorcycles up to 125 cc age 16.
- Motor vehicles with a permissible gross vehicle weight of up to 3.5 tonnes (e.g., a passenger car) - age 18,

- Motor vehicles with a permissible laden weight of more than 3.5 tonnes, with the exception of a bus (e.g., a large truck) - age 21,
- Bus age 24.

Source and other categories can be found here: <a href="https://www.gov.pl/web/gov/kategorie-prawa-jazdy">https://www.gov.pl/web/gov/kategorie-prawa-jazdy</a>.

You can start the course for a specific category up to three months before you reach the age indicated above.

Source: https://www.gov.pl/web/gov/kategorie-prawa-jazdy

## What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

Nothing. Applying for a driver's license before one's 18<sup>th</sup> birthday will require the consent of a parent or a guardian.

**Source**: <u>Uzyskaj prawo jazdy - Gov.pl</u> - Portal Gov.pl – section "What must you prepare" ("*Co musisz przygotować*")

### At what age can I get a driver's license by myself?

There is no need for the parent's or a quardian's permission if you're over 18 years old.

https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy - section "What must you prepare" ("Co musisz przygotować")

## Are there any special provisions for foster youth (children under the custody of the government)?

No. There is some financial support from the government in connection with leaving the foster care and becoming independent after becoming an adult (18 years old) if one applies and satisfies certain conditions (click the link below) but it is not exactly dedicated for obtaining a driver's license.

Source: Formy zapewnienia pomocy i wsparcia osobom usamodzielnianym - Ministerstwo Rodziny, Pracy i Polityki Społecznej - Portal Gov.pl (the amounts are currently different but the financial support is still available)

### Are there any special provisions for homeless youth?

There are no special provisions for homeless youth. Please note that the driver's license is not a recognised official document of identification in Poland and is not used in a manner such as in the US.

### Will I have to take a test?

Yes, both theoretical and practical to prove your driving capabilities.

Source: https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy - section "Co musisz zrobić"

### If applicable, do I have to make an appointment to take the test?

Yes, you need to sign up for the theoretical and practical exams - at the Provincial Road Traffic Centre (WORD) - link of offices below or at the following website (excluding Łomża WORD) - Info-Car. You can sign up for a combined exam (theoretical and practical exam on the same day) but if you fail the theoretical exam you cannot take the practical one and you will not receive your money back.

 ${\color{red} \textbf{Source:}} \ \underline{\textbf{https://www.gov.pl/web/gov/uzyskaj-prawo-jazdy}} \ - \ \text{section "Co musisz zrobić";} \ \underline{\textbf{Info-Car}} \$ 

### Where can I take the driving test? What can I do if I cannot get to a testing location?

Both the theoretical and practical driving tests (exams) are organised at the Provincial Road Traffic Centre (WORD). You can sign up for an exam at any WORD but you need to apply to the WORD which you have previously chosen to free your PKK (ask for additional information at your first chosen WORD). There are approximately 90 WORDs to choose from (in most of the bigger cities).

Source: FAQ- najczęściej zadawane pytania – Wojewódzki Ośrodek Ruchu Drogowego

If you do not show up on an agreed date and you have not cancelled the exam at least two working days earlier, you will not get your money back.

Source: Info-Car

## Do I need to get a permit or authorization to practice driving before I get my driver's license?

As a rule, to drive in general either you have to already have a proper driver's license, or you can drive during the driving training course or the practical exam (but you already have your PKK by then (meaning you have already started the process of obtaining the driver's license) and you are supervised by an instructor or examiner). You cannot practice driving outside of the driving training or the exam. This is the law.

In general, driving a mechanical vehicle without proper authorisation is an offence subject to arrest, restriction of freedom or a substantial fine, and may lead to imposition of a prohibition to drive vehicles.

Source: Bezpieczeństwo ruchu drogowego to priorytet rzadu - KRBRD.GOV.PL

You can start the course for a specific category of vehicle before you reach the required age to obtain a driver's license - however, this can only be in the three months prior to reaching

the relevant age. You can take the driver's license exam not sooner than one month prior to reaching the relevant age.

You can start driving even before collecting the physical driver's license and immediately after passing the practical exam based on a temporary electronic driver's license. However, you need to be 18 years old already and you can use the temporary electronic driver's license not longer than 30 days from when you passed the exam (period for you to pick up your driver's license). Furthermore, to do that you will require the mObywatel app on your phone and to register you will need an ePUAP trusted profile (more information on ePUAP trusted profile available at: Załatw sprawy urzędowe przez internet na ePUAP - Gov.pl - Portal Gov.pl).

**Source**: <a href="https://www.gov.pl/web/gov/kategorie-prawa-jazdy">https://www.gov.pl/web/gov/kategorie-prawa-jazdy</a>; <a href="Tymczasowe elektroniczne prawo jazdy-mobywatel">Tymczasowe elektroniczne prawo jazdy-mobywatel</a> <a href="2.0">2.0</a> - Portal Gov.pl</a>; <a href="Tymczasowe elektroniczne prawo jazdy-mobywatel">Tymczasowe elektroniczne prawo jazdy-mobywatel</a> <a href="2.0">2.0</a> - Portal Gov.pl</a>

### Bicycle card

If you wish to obtain some documents sooner, a bicycle card can be issued free of charge to a child as young as 10 years old with the written consent of a parent or guardian by: (i) a headmaster of a primary school, or (ii) a director of a Provincial Road Traffic Centre (WORD) or an entrepreneur running a driving training centre having a certificate of satisfying certain additional requirements. An applicant must however prove their bicycle riding capabilities by passing an exam. Training may be conducted by certain teachers in a primary school. Training for people who are not pupils in school are available at a Provincial Road Traffic Centre (WORD) or running a driving training centre having a certificate of satisfying certain additional requirements. Training should be organised also free of charge. After turning 18 or obtaining certain types of a driver's license before the 18th birthday means that a bicycle card is no longer required to ride a bicycle.

Source: Formalności

## **Birth Certificate**

### What is the document detailing a person's birth called in this country?

A birth certificate (akt urodzenia).

Source: https://www.gov.pl/web/mswia-en/report-the-birth-of-a-child

# I'm not sure I have a birth certificate, what can I do to find out if I have one and where to get it?

From 1st March 2015, a new electronic system in registry offices was launched. Every birth certificate created after this date will be available in every registry office.

Civil registry offices in Poland keep birth certificates for 100 years. After this, they go to the national archives.

A copy of the birth certificate may be obtained from any civil registry office in Poland. If you were born in a small village that is too small to have a its own civil registry office, you should find the civil registry office closest to such village – here you can find the list of Polish civil registry offices: Urzedy stanu cywilnego w Polsce plik csv - Otwarte Dane.

When you find the right civil registry office, you can send them an email to try to verify if they have your birth certificate. Your email should have all the information that can be useful while searching for documents, such as first name, surname, maiden name, date of birth, place of birth, parents' names.

Writing such an email in Polish will be more efficient. Not every registry office clerk can speak English. Below you have an example of email for obtaining a birth certificate:

"Urząd Stanu Cywilnego [here you write the name of the town/city, where the seat of the registry office is],

Zwracam się z uprzejmą prośbą o potwierdzenie, że są Państwo w posiadaniu aktu urodzenia następującej osoby:

[first name and surname], urodzony (urodzona in case of a female relative) w miejsowości [place of birth] on (date dd/mm/yyyy). Imiona rodziców: [parents' names]

Akt jest potrzebny do [reason].

Z poważaniem,

[your first name and surname, address]

Therefore, your email asking for a birth certificate could look like this:

"Urząd Stanu Cywilnego Bydgoszcz,

Zwracam się z uprzejmą prośbą o potwierdzenie, że są Państwo w posiadaniu aktu urodzenia następującej osoby:

Adam Nowak, urodzony w miejscowości Bydgoszcz dnia 25.11.1956. Imiona rodziców: Paweł i Weronika.

Akt jest potrzebny do [...].

Z poważaniem,

Jane Doe"

Source: https://polishorigins.com/blog/polish-registry-office/

After receiving confirmation that the office has the document you are looking for, there are two possibilities:

- you can order a copy of the birth certificate personally or through an authorised person (attorney-in-fact but please note that you will need to pay an additional fee for acting through an authorised person).
- you can order a copy of the birth certificate via the internet if you have a trusted profile ePUAP,
- you can order a copy of the birth certificate by post.

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

### Order documents personally at the office or by post

Documents that you will need is:

- a completed form;
- fee payment confirmation;
- any documents confirming your relationship with the person whose documents you wish to obtain:
- 4. you will be asked to present a an identity document (if you apply at the office) this stage is not mentioned in the section relating to application by post.

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

Each registry office has its own version of the form - you can find this on their website.

If you see that the form requires a PESEL, then just leave it blank. PESEL is a number that every Polish citizen receives just after their birth. If you don't have one, then you leave it empty.

Source: https://polishorigins.com/blog/polish-registry-office

### Submitting an application online:

- In order to do this, you need to have or will need to create a 'trusted profile' ePUAP or 'e-ID with a reader' and a confirmed trusted profile the link below provides different ways to get a public profile (<a href="https://pz.gov.pl/pz/registerMainPage">https://px.gov.pl/pz/registerMainPage</a>) (<a href="https://www.gov.pl/web/profilzaufany">https://www.gov.pl/web/profilzaufany</a>)
- For a birth certificate, you may need to provide information on the date and place of birth, registry office (if known), series and number of the identity document

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

What you need to do:

- Click the Submit Request button
- Log in with a trusted profile ePUAP or e-ID. After logging in, go to the application
- Select how you want to receive a copy of the birth certificate: You can do it:
  - in person at any USC office to which you send the application,
  - by traditional mail to the address you provide in the application (you will not pay for shipping),
  - to your Gov inbox (ePUAP).
    - Complete the application,
    - Select the reason why you are requesting the birth certificate.
    - If a fee is required, select the payment method,
    - Sign the application electronically,
  - If the application is correctly completed and sent to the office, you will receive
    official confirmation of submission (UPP) in your Gov inbox (ePUAP).
  - Collect a copy of the certificate in the previously selected manner.

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

### How long will you wait?

if the birth certificate is in the electronic central civil status register - within seven calendar days from the date on which you submit the application.

- if you submit an application to the Civil Registry Office, which contains a document in paper form, but it has not yet been transferred to the register within seven working days from the date on which you submit the application,
- if you submit it to the Civil Registry Office, which does not have a document in paper form and has not yet been transferred to the register - within 10 working days from the date on which you submit the application.

Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

Further information on how someone else can obtain your birth certificate and other ways to apply can be found on Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

### How do I get a copy of my birth certificate?

Apply online (if you have a trusted profile ePUAP), in person at a civil registry office or by post. The choice is yours

**Source**: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

### Can I order my birth certificate online?

Yes, you can order a copy if you have a trusted profile ePUAP. Additionally, you may need to provide this information in your application: date and place of birth, series and number of the identity card,

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

Create a trusted profile online if you haven't got one:

(https://www.gov.pl/web/gov/zaloz-profil-zaufany). See useful resources section for further information.

### What documents will I need to get my birth certificate?

To get a copy of your birth certificate you will need a filled out application, confirmation of payment of the fee, and an identity document to prove who you are.

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

Different offices may demand or accept different forms of identity documents. You may want to call or email the civil registry office which registered your birth to check. Ideally you would have an identity document such as a passport or other national ID.

Source: https://polishorigins.com/blog/polish-registry-office/

### What happens if I don't have some or all of the documents that are required?

You will not be able to get it. But contact the civil registry office, and see if they will accept other documents.

Generally, if the office allows you to submit your application but the head of the civil registry office refuses to issue you with a copy of the birth certificate, you can appeal their decision to a provincial governor (*wojewoda*) by submitting the appeal through the head of the civil registry office. You have 14 days to do so.

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

### How old do I have to be to get a copy of my birth certificate by myself?

18 years old.

Source: Czy osoba niepełnoletnia może odebrać akt urodzenia z urzędu stanu cywilnego? - Rodzina - ZL

The age requirement is challenged for example by the Polish Ombudsman - <u>Dostęp do kopii</u> aktu stanu cywilnego przez osobę małoletnią

## What can I do if I do not have a parent or guardian who can go with me to get a birth certificate (and the application says I have to have one)?

Who else can receive someone's birth certificate? (Instead of a legal representative (parent or quardian))

- a person who shows a legal interest in obtaining a certificate (i.e., justifies the interest resulting from legal provisions and presents appropriate documents - for example, a court decision).
- court,
- prosecutor,
- a social organization, if it justifies it with its basic goals and giving them a copy of the birth certificate is supported by the public interest,
- a public administration institution (e.g., a municipality office), if it is necessary to implement its tasks.

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

### What is the cost of obtaining a birth certificate?

- PLN 22 for an abridged copy of the birth certificate (also for a multilingual copy in paper form),
- PLN 33 for a full copy of the birth certificate.

If the matter is dealt through a an authorised person, you will pay an additional PLN 17.

- abridged copy regular document with the most important information
- 2. full copy contains more details
- 3. multilingual abridged copy you may need this copy to use it in foreign offices. It doesn't require translation or any other proof that it's legitimate. However, you can use it in several countries only: Germany, Austria, Belgium, Spain, France, Italy, Luxembourg, Holland, Portugal, Switzerland, Turkey, Slovenia, Croatia, Macedonia, Bosnia and Herzegovina, Serbia, Montenegro, Moldova, Lithuania, Estonia, Romania and Bulgaria.

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

#### Is there a waiver if I cannot afford the fee?

You can get a birth certificate for free. You will not pay for the document if you need it for, for example:

- obtaining an identity card or a passport,
- social benefits, social assistance,
- Social Insurance Institution (Zakład Ubezpieczeń Społecznych) (social insurance, health insurance),
- Alimony payments,
- granting: care, guardianship, adoption,
- employment, remuneration for work.

Indicate in the application the situation for which you need a copy.

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

Are there any special laws or provisions that can help get a birth certificate if I have been in the foster care system (children in custody of the government)?

No, apart from the fee waivers if getting a copy of a birth certificate is connected to some particular types of proceedings – see question 10.

## Are there any special laws or provisions that can help me get a birth certificate if I am homeless?

No, apart from the fee waivers if getting a copy of a birth certificate is connected to some particular types of proceedings – see question 10.

### Where do I get my birth certificate if I was born in another country?

If you were born in another country, your birth can be or could have been registered in Poland. This can apply if:

- you were born abroad without registration, or
- you were born in a country with no registry of civil status records.

Your legal representative (such as a parent) or another person who has a legal or legitimate interest can apply or could apply to register the birth.

To apply, submit your application to any head of a civil registry office in Poland. The addresses of all civil registry offices can be found here: <u>Urzędy stanu cywilnego w Polsce plik csv - Otwarte Dane</u>. The application can be done in person at the office, by mail or electronically.

If you are a Polish citizen, a written application for registration can be submitted to the Polish consul.

The fee for an unabridged certified copy of the vital record issued after registration is PLN 39

## **Source**: Register a birth, marriage or death that took place abroad - Ministry of the Interior and Administration - Gov.pl website

A foreign birth certificate can be transferred to the Polish civil status registry for PLN 50. It can only be done if the birth certificate is an official birth certificate, was issued by an official foreign authority and its authenticity is undisputed. To prove authenticity it is best to have an apostille on the document or have the document legalised. It must also be translated into Polish by a sworn translator. You will also be asked to present an identity document. Once a foreign birth certificate is transferred to the Polish civil status registry the applicant should receive a complete copy of the transferred birth certificate. Then you can obtain copies as if the birth certificate had been originally prepared in Poland. This, however, means that you would be able to get a copy of your birth certificate only if you already transferred your original foreign one in the past.

**Source**: Transferring a foreign civil status document to the civil status register - transcription - Warszawa 19115 – sample information for Warsaw

It is possible to recreate the content of a foreign birth certificate if a birth certificate was prepared, it is an official civil status document in your country and you can't obtain a copy. The fee is PLN 39. But an application must be submitted by a parent or a guardian if you're a minor (below 18). Then you can obtain copies as if the birth certificate had originally been prepared in Poland.

Source: Odtworzenie treści zagranicznego dokumentu stanu cywilnego - Warszawa 19115 - sample information for Warsaw

### Is there a way to get my birth certificate without having to somewhere in person?

If you have a trusted profile ePUAP or eID you can order a copy of your birth certificate online. You can also apply via post.

Source: Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl

### Where can I find information online about getting a birth certificate?

Receive a copy of your civil status certificate (birth, marriage, death) - Gov.pl - Portal Gov.pl https://www.wikiprocedure.com/index.php/Poland - Obtain a Birth Certificate

Call the Polish Government helpline on +48 222 500 115. It is open 24 hours a day.

To set up a 'trusted profile' online account to access Polish government services (https://www.gov.pl/web/gov/zaloz-profil-zaufany):

Select one of the options:

I have an internet account in one of the following banks: PKO Bank, Inteligo, Santander, Bank Pekao, mBank, ING, Millennium Bank, Alior Bank, a cooperative bank (you can check if your bank confirms PZ), BNP Paribas, BOŚ Bank, Bank Credit Agricole, Getin Bank or Envelo trusted account, I have an identity card with an electronic layer (e-proof) and an NFC reader, I have a qualified electronic signature and I want to apply online and confirm in a video interview with the clerk, I want to apply online and confirm in the confirmation point

For video interview confirmation, a valid ID card or passport is required. It is free to set up a trusted profile.

## **Making Changes to Government ID Documents**

### What should I do to change my name?

Poland recognizes only one internal procedure for changing one's name or surname. A change of one's name and/or surname will result in a change of this information in one's birth certificate and/or marriage certificate.

Source: Administracyjna zmiana imienia i nazwiska - Polska w Wielkiej Brytanii - Portal Gov.pl; Administracyjna zmiana imienia lub nazwiska - Rejestracja stanu cywilnego - Ministerstwo Spraw Wewnętrznych i Administracji

### Who can apply?

A Polish citizen, a foreigner having no citizenship residing in Poland and a foreigner who received "refugee" status may apply for a change of a name(s) or surname. A child's name can be changed but the procedure is much more complex than in the case of an adult.

For a Polish citizen or a stateless person to change their name or surname there must be "valid reasons", including for example:

- the name or surname causes ridicule,
- they do not use the name or surname which was given to them and use another name or surname,
- the name has been illegally altered, or
- they wish to change their name to a name in accordance with the law of another state
  of which he/she is a national.

A refugee in Poland may change their name or surname only in case of a threat to their: (i) life, (ii) health, (iii) liberty or (iv) personal safety.

**Source**: Złóż wniosek o zmianę imienia lub nazwiska - Gov.pl - Portal Gov.pl – section "Who can apply" ("*Kto może złożyć*"):

#### Where to apply?

You should apply to the head of the civil registry office (*kierwonik urzędu stanu cywilnego*). If you are abroad you should submit the application to a Polish consul.

Source: Złóż wniosek o zmianę imienia lub nazwiska - Gov.pl - Portal Gov.pl - section "Where to submit" ("Gdzie składasz")

#### How much will it cost?

You will need to pay a fee of PLN 37.

Source: Złóż wniosek o zmianę imienia lub nazwiska - Gov.pl - Portal Gov.pl - section "What will you pay" ("*Ile zapłacisz*")

### What should I prepare and submit?

You will need to:

- fill out and submit an application specifying: (i) the information the applicant (name, surname, family name; indication of a head of the civil registry office who issued the applicant's birth or marriage certificate; PESEL number if granted); (ii) the chosen new name or surname; (iii) correspondence address; (iv) justification; (v) statement that a similar application was not submitted to another civil registry office. If the name or surname change should also cover children, the applicant should also provide the place of issuing their birth certificates. A template is available at: <a href="Change of name/surname application">Change of name/surname application</a>;
- if the applicant (and possibly their children) doesn't have a Polish birth and/or marriage certificate the applicant should also prepare and submit an application for transcription of foreign civil status documents (birth and/or marriage certificates) template for birth certificate available at: <a href="mailto:wniosek\_transkrypacja\_aktu\_urodzenia\_form.pdf">wniosek\_transkrypacja\_aktu\_urodzenia\_form.pdf</a>; and a template for a marriage certificate available at: <a href="Marriage certificate transcription application">Marriage certificate transcription application</a>;
- documents to be attached to the application as a proof of a "valid reason" for change of name or surname;
- a confirmation of payment of the fee of PLN 37;
- if the application is submitted in person, the applicant should present an identity document (a National ID card, a passport).

If the change should also cover children, consent of the other parent is also necessary (given in a particular form). If the parents do not agree to it the guardianship court may give such consent. If the child is 13 or older it should also consent to the name or surname change (in a particular form).

**Source**: <u>Złóż wniosek o zmianę imienia lub nazwiska - Gov.pl</u> - Portal Gov.pl – section "What must you prepare" ("*Co musisz przygotować*")

### Children

A legal representative (parent, guardian) submits an application for a child (below 18).

- filled in application with the information as above a sample is available here: <u>Sample</u> application for change of a child's name or surname;
- a document certifying Polish citizenship (a valid Polish passport or National ID card or a presidential act granting Polish citizenship or a decision confirming Polish citizenship);

- if the child doesn't have a Polish birth and/or marriage certificate the applicant should also prepare and submit an application for transcription of foreign civil status document (birth certificate) – template for birth certificate available at: wniosek transkrypacja aktu urodzenia form.pdf;
- documents to be attached to the application as proof of a "valid reason" for change of name or surname:
- confirmation of payment of the fee of PLN 37;
- if a parent submits an application, the consent of the other parent is also necessary (given in a particular form). If the parents do not agree on it, the guardianship court may give such consent. However, it may be that a consent of the other parent is not necessary but then a final court judgment in the case of termination of parental authority, together with a certificate from the court confirming that the parent who has been deprived of parental authority has not applied for its restoration, should be provided;
- if the child is 13 or older it should also consent to the name or surname change (in a particular form).

Source: Złóż wniosek o zmianę imienia lub nazwiska - Gov.pl - Portal Gov.pl; Poland - Apply for Change of Name (wikiprocedure.com)

Documents drawn up in a foreign language must be submitted with a certified translation into Polish by:

- a sworn translator entered on a list kept by the Minister of Justice.
- a sworn translator authorised to make such translations in the member states of the European Union or the European Economic Area (EEA).
- a consul.

**Source**: Administrative change of first or last name - Poland in Israel - Gov.pl website (www.gov.pl)

### How do I change my name on my Birth Certificate?

Follow the procedure described in question 1 above.

### How do I change my name on my National ID card?

First you need to complete the procedure described in question 1. Following the change of name or surname on one's birth certificate by the head of civil registry office, they should also update the PESEL register as well.

Source: Rejestr PESEL - Ministerstwo Cyfryzacji - Portal Gov.pl

If your information has changed (e.g., your name or surname) you should apply for a new National ID card. Your information on the National ID card will reflect those in the PESEL register. You will need a new photo but getting a new National ID card is free of charge. If

you apply in person bring your old National ID card and a copy of the decision changing your name or surname.

Source: Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl

### How do I change my name on my Driver's License?

First you need to complete the procedure described in question 1 to get a decision on name or surname change, update your birth (and marriage) certificate and information in the PESEL register. Then you will apply for a new driver's license. The required steps to change your driver's license due to a change of name can be found here:

Source: https://www.gov.pl/web/gov/wymien-prawo-jazdy

What you need to prepare:

- fill in an application form download from the above website and fill out at home or do it at the office. Please indicate how you would like to collect the completed document at the office or by post,
- current photo requirements available here: <u>Zdjęcie do prawa jazdy informacje -</u> Gov.pl - Portal Gov.pl.
- confirmation of the driving license fee paid (cost is PLN 100),
- National ID card or passport it would be best if you already had a new National ID card or a passport with your new name or surname but an old one and a copy of the decision regarding the change of your name or surname may be enough,
- passport or residence card if you are a foreigner,
- old driving license.
- if your old driving license expires soon consider getting also a new medical report saying that you are able to drive, since the new driving license would be granted only for the time you had left on your old one (based on the old medical report).

Source: <a href="https://www.gov.pl/web/gov/wymien-prawo-jazdy">https://www.gov.pl/web/gov/wymien-prawo-jazdy</a>

### At what age can I change my name by myself?

18 years old, which is the majority age in Poland.

Source: Złóż wniosek o zmianę imienia lub nazwiska - Gov.pl - Portal Gov.pl

## What can I do if I don't have a parent or guardian with me to change my name and do not have anyone who can help me?

Minors will need parental approval and parents to provide their documents and apply for them. If the parents do not have parental authority then another legal representative, e.g., a

guardian. Persons below 18 cannot apply for a change of their name or surname by themselves.

Source: Poland - Apply for Change of Name

## What vital doc should I start with to change my gender marker? Is the process easier for one of the IDs?

There are no regulations that cover already issued documents.

Changing the gender marking in documents was only possible through a civil lawsuit to determine gender, in which one sues one's parents for gender determination.

## **Source**: <u>Transgender health care in Poland (epath.eu)</u>; <u>https://tranzycja.pl/krok-po-kroku/zmiana-danych-sad/</u>

A person who wished to change their legal gender marker needed to:

- be 18 years old (or a custodian needed to be appointed for a minor to sue against the parents),
- pursue a civil lawsuit where the parents are the sued party,
- have a court officer appointed if parents are deceased or do not have legal authority,
- if married get a divorce first, even if the spouse does not object to the change, as there are no same-sex marriages recognised in Poland,
- obtain a medical diagnosis of "transsexualism" according to ICD-10 and two opinions, one from a psychiatrist who preferably should also be a medical sexologist, and one from a psychologist, preferably a certified clinical sexologist.
- undergo "some kind of an irreversible change",
- procedures resulting in permanent sterilization are illegal before the gender status is changed,
- hormonal treatment is almost always required, chest reconstruction advised,
- allocate approximately PLN 600 for the fee when filing a lawsuit (this requirement can be circumvented if the lawsuit is accompanied by an application for exemption from costs and the court accepts it).

An expert medical or clinical sexologist is sometimes appointed, experts with varying levels of expertise,

After a positive ruling, a new PESEL number is issued which allows to obtain a new National ID card; further document replacement follows. No regulations exist as to how to proceed with the already issued documents, certificates, diplomas and qualifications.

No replacement of a birth certificate was possible; only a reference was entered in the original certificate.

Source: 1.-Informator-z-rekomendacjami-dla-Urzedow-Stanu-Cywilnego.pdf; Transgender health care in Poland: https://tranzycja.pl/krok-po-kroku/zmiana-danych-sad/

#### However,

**on 4 March 2025** the Polish Supreme Court decided to change its past interpretation of the law and decided that:

- a request to change one's gender marker on the birth certificate should be assessed
  by the court in non-contentious proceedings (without suing anyone) by similar use of
  the procedure regarding correction of civil status documents (such as a birth
  certificate),
- a change of a gender marker on a birth certificate can be made only at the request of the person concerned, and
- 3. apart from the person concerned only their spouse may participate in the proceeding so the parents of such person and their children do not have to and actually can't.

Source: Postępowanie w sprawie zmiany oznaczenia płci w akcie urodzenia osoby transpłciowei - Sad Naiwyższy

Since it's a big change from the solutions used so far since the 1990s, it is unclear how the courts will proceed (so claims the Polish Ombudsman).

Source: <u>Uchwała Izby Cywilnej SN: Postępowania w sprawach dotyczących korekty płci –</u> bez pozywania rodziców

### How do I change my gender marker on my Birth Certificate?

This was not possible. It was possible to register a reference to the change in the original birth certificate but not to make the change. However, after the change of interpretation of the law (Polish Supreme Court's resolution dated 4 March 2025) it seems that a correction to the birth certificate should be possible.

Source: <u>Transgender health care in Poland (epath.eu)</u>; <u>Uchwała Izby Cywilnej SN:</u> <u>Postępowania w sprawach dotyczących korekty płci – bez pozywania rodziców</u>

### How do I change my gender marker on my National ID card?

A change of gender marker results in a change of the PESEL number and new information in the PESEL register. However, please note that a court's decision on the gender change does not change one's name or surname. The procedure in question 1) needs to be followed to change one's name or surname and before the court's decision to accept the application for gender marker change it might be difficult to change one's name or surname to a name or surname more associated with the other gender.

#### 1.-Informator-z-rekomendacjami-dla-Urzedow-Stanu-Cywilnego.pdf

You should apply for a new National ID card as your information (either only the gender marker and the PESEL number or the gender marker, the PESEL number and also your

name or surname if you separately obtained a decision changing your name or surname) has changed.

Source: Uzyskaj dowód osobisty - Gov.pl - Portal Gov.pl

## At what age can I change my gender marker by myself?

You must be 18 years old to apply to a civil court to change your gender marker.

Reprezentowanie dziecka w sądowych sprawach cywilnych - Infor.pl

What can I do if I do not have a parent or guardian with to change my gender marker and do not have anyone who can help me?

Not much. Taking into account the new decision of the Polish Supreme Court only the person concerned may apply for a change of the gender marker.

**Source**: Postępowanie w sprawie zmiany oznaczenia płci w akcie urodzenia osoby transpłciowej - Sąd Najwyższy

In civil proceedings a child (below 18) is represented by its legal representatives meaning the parents or a guardian. The child cannot represent itself.

Source: Reprezentowanie dziecka w sądowych sprawach cywilnych - Infor.pl

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