

## INFORMATION FOR EU CITIZENS AND THEIR FAMILIES

**Simplified visa obtaining procedure for family members of the European Union (EU) citizens - the introduction of the European Parliament and the European Council Directive No. 2004/38 WE dd April 29, 2004 on the EU citizens' and their family members right to move and reside freely within the territory of the Member States ("Journal of Laws" of April, 2004).**

**Please pay attention that if you are a EU citizen' family member, you are entitled to a privileged visa application procedure. Your application will be proceeded as quickly as possible, free of charge and on the basis of a minimum document set. Kindly read the following information:**

The procedure refers to foreign nationals traveling to another EU country, and not to the EU country of which a family member is a citizen, or who are already on the territory of that country.

**Example 1:** A Belarus citizen' wife is a Polish citizen living in Warsaw. A Belarus citizen wants to visit her. Taking into account the fact that the Belarus citizen' wife lives in the country of her citizenship (she has not used the right to free movement within the EU), the Belarusian citizen will not be considered as an EU citizen family member.

**Example 2:** A Belarus citizen has a wife who is the Netherlands' citizen living in Warsaw. A Belarus citizen wants to visit her. Because of the fact that the Belarusian citizen' wife does not live in the country of her citizenship (she has used the right to free movement within the EU), the Belarusian will be considered as an EU citizen family member.

Visa application form is processed free of charge. Persons wishing to obtain a visa are accepted without prior appointment as soon as possible.

**EU citizens are** citizens of EU member states, citizens of European Free Trade Association member countries (EFTA) - parties to the agreement on the European Economic Union (Norway, Iceland, Liechtenstein), Swiss citizens.

### **Family members of an EU citizen:**

- a) a spouse of an EU citizen;
- b) a direct relative of an EU citizen on the descending line or his spouse, under the age of 21, or who is dependent on an EU citizen or his spouse,
- c) a direct relative of an EU citizen in the ascending line or his spouse, dependent on the EU citizen, or his spouse.

### **To obtain a visa you should submit the following documents:**

- visa application form (completed at the website <http://www.e-konsulat.gov.pl/>), printed-out;
- signed, with attached photo;
- valid passport (compliant to all requirements);
- a document confirming that you are accompanying or intent to visit an EU citizen.

### **A visa may be refused if:**

- an applicant's visit is planned for the period when he is included in the list of foreign citizens whose stay in the Republic of Poland is undesirable, or
- a presence of a person in the territory of the Republic of Poland may pose a threat to the defense and security of the state or the security protection, public peace or public health.

The decision to refuse a visa is taken by a consul. An applicant has the right to appeal against the consul's decision on visa issue refusal by submitting a relevant application to the Minister of Foreign Affairs.

### **Legal grounds:**

- The Act of July 14, 2006 "On entry into, stay and exit from the territory of the Republic of Poland of European Union citizens and their family members" ("Journal of Laws" of August 11, 2006, Art. 1525) [1].
- The Act of December 12, 2013 "On Foreign Citizens" ("Journal of Laws" of December 30, 2013, Art. 1650, as amended).
- The Act of June 25, 2015 "Consular Law" ("Journal of Laws" of August 31, 2015, art. 1274).

[1] This Act introduces into Polish law Directive No. 2004/38 / WE of the European Parliament and the European Council of April 29, 2004 "On the right of EU citizens and their family members to free movement and stay in the territory of EU countries" ("Journal of Laws EU L" dated April 30, 2004).