

LAW OF MARCH 29th 1963 ON FOREIGNERS
(Journal of Law, No. 15, item 77)

Art. 1. A foreigner is everyone who has not the Polish citizenship.

Art. 2. A foreigner who has the citizenship of two or more countries is to be treated as the citizen of only one of those countries.

Art. 3. A foreigner may pass the frontiers of Polish People's Republic by virtue

of the appropriate foreign document named a visa, unless particular laws enact otherwise.

Art. 4. 1. Visas are granted abroad by Polish diplomatic agencies and consular offices, while at home by voivodeship commands of Militia (city commands in towns excepted from a voivodeship), respective for a foreigner's staying-place.

2. Minister for Home Affairs in agreement with Minister of Foreign Affairs may authorize other subjected units than quoted in Part 1 to grant visas at home in particular cases.

Art. 5. 1. A foreigner may be refused to be granted a visa, and the visa already granted may be cancelled, if:

1^o he has acted for damnification of interests of Polish People's Republic;

2^o has been convicted in Polish People's Republic or abroad for a crime or felony;

3^o has infringed enactments of this statute or laws enacted by virtue of it or laws on protection of the state's frontiers or customs and currency regulations;

4^o has been deprived of Polish citizenship after May 9th 1945;

5^o other circumstances indicate that his stay on the territory of Polish People's Republic is undesired with regard to the public interest.

2. Decision on refusal of granting a visa or its cancellation is to be effected immediately.

Art. 6. 1. A visa for transit through the territory of Polish People's Republic to another country may be granted if a foreigner already has a permission to enter the country in question.

2. Minister for Home Affairs may in agreement with Minister of Foreign Affairs introduce exceptions from the principle determined in Part 1.

Art. 7. 1. A visa may entitle to one or repeated crossing the frontiers.

2. Passing the frontiers may effect only in time indicated in visa.

3. Authority granting a visa may indicate in it a place in which the frontier is to be crossed, and other conditions.

Art. 8. Questions with regard to documents entitling foreigners, which do not have a proper foreign document, to leave the territory of Polish People's Republic and come back are determined by passport regulations.

Art. 9. A foreigner may stay on the territory of Polish People's Republic in time for which a visa is valid or a residence card which is discussed in Art. 13.

Art. 10. 1. Decision-making on granting a foreigner the sanctuary on the territory of Polish People's Republic rests with Minister for Home Affairs who acts in agreement with Minister of Foreign Affairs.

2. Minister for Home Affairs may in agreement with Minister of Foreign Affairs convey the right of making decisions indicated in Part 1, to the subjected to him organs.

Art. 11. 1. A foreigner is bound to accomplish the obligation to report and booking, not later than in three days after crossing the border, at a district command of Militia (city command in a town constituting a district or excepted from a voivodeship), respective for a foreigner's staying-place.

2. Minister for Home Affairs may allow to accomplish the obligatory booking, as said in Part 1, by intermediary of third persons or certain institutions, and he also may indicate other subjected organ than the one quoted in Part 1, in which obligatory report may in some cases be effected.

3. Minister for Home Affairs determines by means of an order the obligations of third persons and institutions as responsible for accomplishment by a foreigner of the obligation to report.

4. Independently of the obligation of the said reporting, a foreigner is bound to register according to migration control and population statistics regulations; first registration, however, after arriving from abroad, is to be accomplished together with reporting at a Militia station.

5. Enactments of Part 1 and 4 do not concern foreigners going through the territory of Polish People's Republic in transit.

Art. 12. A foreigner, when called by a registration office, is obliged to appear personally if need be to give explanations on his stay on the territory of Polish People's Republic or to submit the necessary documents.

Art. 13. 1. A foreigner may receive permission for permanent residence (domicile) on the territory of Polish People's Republic in form of a permanent residence card.

2. Cards for permanent residence are received from voivodeship commands of

Militia (city-commands in towns excepted from voivodeship), respective for intended place of permanent residence (domicile) of a foreigner.

Art. 14. 1. A foreigner permanently resident (has a permanent home) on the territory of Polish People's Republic, and is not in possession of the appropriate foreign document, is obliged to have a foreigner's identity card.

2. Onto the identity card of a foreigner, the names of his children are entered, and names of all persons he is in charge of, if they are foreigners and under sixteen.

3. Identity cards for foreigners are issued and entries made by voivodeship commands of Militia (city-commands in towns excepted from voivodeships) in places of a foreigner's permanent residence.

4. A foreigner is obliged to restore his identity card at a Militia station as indicated in Part 3 in case:

1° he leaves for abroad,

2° he receives the appropriate foreign document,

3° he is given Polish citizenship.

5. In the event of a foreigner's death, the obligation to restore his identity card has his household, if any, and otherwise — the registration officer.

Art. 15. 1. A foreigner may be expelled from the territory of Polish People's Republic under the circumstances described in Art. 5, Part 1.

2. Decision on expulsion should determine time in which a foreigner has to leave the territory of Polish People's Republic. It may also include indication as to a route through to the border, and a place in which the frontier is to be passed.

3. Authority making a decision on a foreigner's expulsion may order him for a compulsory stay until the decision is effected, and charge him with an obligation to report at a given Militia station at definite intervals.

4. A foreigner may be delivered to the border without delay if he would not leave the territory of Polish People's Republic in time, as indicated in Part 2, or if it would be required because of an important public interest.

Art. 16. 1. A foreigner is charged with costs involved on expulsion. These may be exacted in order of enactments on administrative execution of money obligations; the one under obligation does not receive inductions for what the mentioned law provides.

2. In the event a foreigner is of limited means, expulsion expenses are charged on a person or organization on the invitation of which a foreigner has arrived in Polish People's Republic, if any, otherwise or in case a responsible person or institution cannot afford the assigned costs, they are covered by the state.

Art. 17. Decisions in questions discussed in Art. 15 and 16 are made by voivodeship commands of Militia (city commands in towns excepted from voivodeships), respective for the place of a foreigner's residence.

Art. 18. 1. Decisions made by virtue of enactments of this statute may be confined to data given in art. 99 § 1 of the code of administration proceeding, if required with regard to the state's security or public order.

2. Minister for Home Affairs and Minister of Foreign Affairs will determine by means of an order detailed principles and procedure in questions regulated by this statute, as well as patterns of visas, cards of permanent residence, and identity cards for foreigners.

Art. 19. Minister for Home Affairs may, in agreement with Minister of Foreign Affairs, exempt individual foreigners or definite categories of foreigners from certain obligations the present statute provides for.

Art. 20. Minister for Home Affairs may in agreement with the involved ministers, define for foreigners employed in the international transport and foreigners arriving in Polish People's Republic for doing certain professional duties conditions of passing the border of Polish People's Republic, and staying on its territory, different from the ones provided by this statute.

Art. 21. Minister for Home Affairs, in agreement with Minister of Foreign Affairs, may temporarily not allow foreigners to stay in certain parts of the territory of Polish People's Republic.

Art. 22. One who violates enactments of Art. 9, Art. 11, point 1, Art. 14 point 4 and 5, or orders issued by virtue of Art. 11, point 3, Art. 21 or decisions, as said in Art. 15, point 2 and 3 — is charged with a fine up to zł. 4,500.

2. Adjudication follows according to orders of penal — administrative judicature.

3. Injunction proceeding in cases for misdemeanors determined in point 1 a fine may be adjudged amounting up to zł. 1,500. The writ is immediately effective.

Art. 23. 1. Enactments of the present statute, excepting art. 3, do not concern chiefs and workers of diplomatic agencies and consular offices of foreign countries, and other persons evened to them by virtue of statutes, agreements, or commonly used international observances, on condition of reciprocity, and possession by these persons of the appropriate documents.

2. Minister for Foreign Affairs and for Home Affairs will define by means of an order documents mentioned in point 1, as well as principles and the course of granting visas to persons indicated in this law, and the authorities for granting visas.

3. Minister of Foreign Affairs may, in agreement with Minister for Home Affairs, exempt persons indicated in point 1 from the obligation of being granted a visa:

Art. 24. Documents and permissions issued by virtue of the laws binding so far, keep their validity for time for which they were issued.

Art. 25. To cases embraced by enactments of this statute, and regulated otherwise by enactments of international agreements binding for Polish People's Republic, enactments of such agreements are applicable.

Art. 26. In the statute of July 14th 1961 on population statistics and migration control (J. of L., No. 33, item 164), Art. 1 point 2 reads as follows:

"2. From registration duty are exempted chiefs and foreign workers of diplomatic agencies and consular offices of foreign countries and other persons evened with them by virtue of statutes, agreements, and/or commonly used international observances."

Art. 27. 1. Laws of August 13th 1926 on foreigners (J. of L., No. 83, item 465, and of 1937, No. 11, item 83) become invalid.

2. Until executive enactments, provided for in this statute, are issued-executive enactments, binding till now, are kept valid, if not contradictory to the law.

Art. 28. The law comes into force after 6 months from a date of announcement.