

Ministry of the Interior and Administration

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Ways of acquiring Polish citizenship

a) by birth to parents, at least one of whom is a Polish citizen - right of blood (*Jus Sanguinis*)

Pursuant to the law, a child acquires Polish citizenship by birth to parents, at least one of whom is a holder of Polish citizenship, irrespective of whether the child was born in Poland or abroad (Article 14 point 1 of the Polish Citizenship Act).

b) by birth or being found on the territory of Poland - right of the soil (*Jus Soli*)

The principle applies when a child is born or found on the territory of the Republic of Poland, and both parents are unknown, or they have no citizenship (Article 14 point 2 and Article 15 of the Polish Citizenship Act). Then, the child acquires Polish citizenship by virtue of law.

c) by full adoption

A child adopted by a holder or holders of Polish citizenship acquires the citizenship, if the full adoption had been completed before the child turned 16. In this case, the child is considered as possessing Polish citizenship from the moment of his/her birth.

d) by granting Polish citizenship by the President of the Republic of Poland

Pursuant to Article 18 of the Act, the President of the Republic of Poland can grant a foreigner, at his/her request, Polish citizenship. No conditions limit the constitutional competence of the Republic of Poland; the President can grant Polish citizenship to any foreigner. Granting Polish citizenship to both parents applies to children under their custody. Granting Polish citizenship to one of the parents, applies to a minor under his/her parental custody, in the event that the other parent has no parental custody, or he/she has given consent that the minor acquires Polish citizenship. When the child has turned 16, only his/her consent is required. Persons living on the territory of Poland can apply for Polish citizenship through a Voivode competent for the place of residence of an interested party, whereas persons living abroad – through a competent consul. The application shall be submitted personally, or by mail, with an officially certified signature. Documents issued in a foreign language shall be submitted with attached translation into Polish, prepared by a sworn translator or a consul of the Republic of Poland. Polish citizenship application form shall be specified in an ordinance by the President of the Republic of Poland.

[Specimen application for Polish citizenship \(in Polish\)](#)

e) by recognition as a Polish citizen

Under the provisions of the Polish Citizenship Act of 2 April 2009, more foreigners are eligible to be recognized as Polish citizens administratively, as compared with the Act of 1962. Persons who

can apply for Polish citizenship through recognition of citizenship are foreigners living on the territory of Poland pursuant to applicable permissions, who, in the course their many years' residence in Poland have become integrated into the Polish society, know the Polish language, have means of support and housing, respect the Polish legal order and do not pose a threat to national defence or security. This applies in particular to refugees, stateless persons, children and spouses of Polish citizens and persons of Polish origin. Citizenship recognition proceedings shall be conducted pursuant to the rules specified in the Administrative Code. The interested party can appeal against the decision of a Voivode (acting as the first-instance authority) to the second-instance authority, the Minister of Interior. Whereas the decision of the Minister of Interior can be appealed to an administrative court. The application shall be submitted in accordance with the provisions of the Ordinance of the Minister of Interior of 3 August, 2012 on the specimen application regarding the recognition as a Polish citizen and a photograph to be attached to the application (Journal of Laws, item 916).

Pursuant to Article 30 section 1 of the Polish Citizenship Act, the following persons are recognized as Polish citizens:

1. a foreigner residing continuously on the territory of the Republic of Poland for at least 3 years, pursuant to an establishment permit, an EC residence permit for a long-term resident, or a permanent residence permit, having a stable and regular income within the Republic of Poland as well as a legal title to the occupied living premises;
2. a foreigner residing continuously on the territory of the Republic of Poland for at least 2 years, pursuant to an establishment permit, an EC residence permit for a long-term resident, or a permanent residence permit, being for at least 3 years married to a Polish citizen, or is a stateless person;
3. a foreigner residing continuously on the territory of the Republic of Poland for at least 2 years, pursuant to an establishment permit, obtained in relation with a refugee status, granted in the Republic of Poland;
4. a minor foreigner, whose one parent is a Polish citizen, residing on the territory of the Republic of Poland pursuant to an establishment permit, an EC residence permit for a long-term resident, or a permanent residence permit, whereas the other parent, being a non-Polish citizen, has given consent to the citizenship recognition of the minor;
5. a minor foreigner, whose at least one parent has renounced Polish citizenship, on the condition that the minor has been residing on the territory of the Republic of Poland pursuant to an establishment permission, an EC residence permit for a long-term resident, or a permanent residence permit whereas the second parent, being a non-Polish citizen, has given consent to the citizenship recognition of the minor;
6. a foreigner residing continuously and legally on the territory of the Republic of Poland for at least 10 years, who fulfils jointly the following conditions: is a holder of an establishment permit, an EC residence permit for a long-term resident, or a permanent residence permit, and has a stable and regular income within the Republic of Poland as well as a legal title to the occupied living premises;
7. a foreigner residing continuously on the territory of the Republic of Poland for at least 2 years, pursuant to an establishment permit, which he was granted in relation with his/her Polish origin.

Simultaneously, Article 20 Section 2 provides that a foreigner (with the exceptions of points 4 and 5 above, i. e. minors whose one parent already has Polish citizenship) applying for recognition as a Polish citizen, should have officially confirmed knowledge the Polish language.

Polish citizenship is recognized at the request of an interested party and shall extend to his/her children, providing that the other parent has agreed to it; in case the child has turned 16, also his/her consent is required. However, under Article 31 of the Act a foreigner's request to be recognized as a Polish citizen shall be declined in case he/she has not fulfilled the obligatory requirements, specified above, stipulated in Article 30 section 1, or if the acquisition of Polish citizenship by this person poses a threat to national defence and security, or to the public security and order.

[*Specimen application for recognition as a Polish citizen \(in Polish\)*](#)

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