Call for Applications

# Consultancy: Guidelines on How to Organize Work in Poland for Foreign Nationals

Project Information

The International Center for Not-for-Profit Law (ICNL) is pleased to invite applications from local experts in Poland to prepare Guidelines on how to organize work in Poland for foreign nationals, specifically Ukrainians, when they relocate to Poland.

BACKGROUND

The International Center for Not-for-Profit Law (ICNL) is an international not-for- profit organization that promotes an enabling legal environment for civil society, freedom of association, assembly, expression, and public participation around the world. ICNL has provided technical, research, and capacity-building assistance to support the reform of laws affecting civil society organizations (CSOs) in over 100 countries. We draw upon a worldwide network of partners and experts to produce innovative research and analysis on legal topics affecting civil society. To learn more about ICNL’s programs in Eurasia, visit www.icnl.org.

ICNL is seeking one local expert (Consultant) to prepare Guidelines on how to organize work in Poland for foreign nationals, specifically Ukrainians, when they relocate to Poland. The Guidelines will help foreign nationals organize their work to address individual requirements, whether as a freelance consultant, civil society organization (CSO), or a business entity. The Guidelines will help individuals comply with Polish legal requirements relating to visa status, labor, corporate, tax and civil law, as well as international law relating to bilateral treaties between Poland and Ukraine and other issues relevant to Ukrainians who relocate to Poland.

The Guidelines shall be based on Polish law and will, at a minimum, examine the following questions:

1. What are the legalization rules for foreigners?
2. What types of status are available under international protection (including as a refugee or others who require additional protection)?
3. Under which terms may a foreigner work in the territory of Poland?
4. What are peculiarities of taxation for foreigners generating income in Poland?
5. What are the requirements for opening a bank account for a foreigner in Poland?
6. Can a foreigner receive a grant or a donation (tax exempt) from a foreign or a local entity?
7. Which bilateral treaties between Ukraine and Poland are relevant for Ukrainians relocating to Poland?

In addition, the Consultant will need to provide a practical guide on the establishment and operation of CSOs in Poland, specifically addressing the following questions on the rights and obligations of foreigners:

1. What are the legal organizational forms of CSOs under Polish law?
2. Can CSOs receive charitable or similar status in Poland?
3. What are the establishment and registration requirements?
4. What is the procedure for a CSO to open a bank account and how are bank transactions regulated?
5. What are the operational requirements for CSOs in Poland?
6. What are the tax obligations for CSOs in Poland?

The Consultant will need to provide a practical guide on the establishment and operation of a business entity in Poland, specifically focusing on 2-3 legal forms of business entities (companies), which might be of special interest to foreigners, addressing the following questions:

1. What are the most common legal forms of companies for small businesses which might be of interest to foreign nationals relocating to Poland? What are the advantages and disadvantages of various types of companies, from the perspective of a foreigner as a founder?
2. What is the registration procedure for 2-3 most relevant legal forms of business entities?
3. What are the operational requirements for business entities in Poland?
4. What is the procedure for a business entity to open a bank account and how are bank transactions regulated?
5. What are the tax obligations for business entities in Poland?

The Consultant will be required to regularly communicate with ICNL staff about the progress of the research as well as respond to requests for revisions/updates.

Guideline contents

ICNL will support one local Consultant to prepare Guidelines, in English, that will include:

* a literature review of existing laws, regulations, policies, directives, case law and administrative frameworks, previous studies, media reports, academic works, and government documents; and
* a comparative overview of performing work in different legal forms: specifically, as an individual (consultant or individual entrepreneur), CSO, or a business entity, while highlighting the advantages and disadvantages for a foreigner. The Consultant will prepare the Guidelines in a simple language that is easy to understand for non-lawyers. The Consultant will be required to properly site all referenced laws, implementing regulations, and other documents in the Guidelines.

ICNL will provide a detailed list of questions to be covered in the Guidelines, and responses to these questions must be provided to ICNL’s satisfaction. ICNL will work with the Consultant to review and finalize the Guidelines. The Guidelines must be finalized by **July 31, 2022**.

Application Instructions

APPLICATION MATERIALS

Applicants must submit the following fully completed items, with the Application Coversheet via email, with the subject “Guidelines on How to Organize Work in Poland for Foreign Nationals” to pbonwich@icnl.org:

* Resume, Curriculum Vitae (CV), or other statement of relevant work history and education (no more than 3 pages), and a writing sample;
* Budget (not more than 1 page and not to exceed $5,000).

ELIGIBILITY REQUIREMENTS

This call is open to lawyers or organizations focused on legal issues in Poland. Applicants are expected to strictly comply with submission deadlines. The project must be completed by July 31, 2022, including submission of an initial draft of the Guidelines by June 15, 2022, and an updated draft by June 30, 2022, with an opportunity for ICNL to provide comments. Earlier timelines for the project and submission of drafts are preferred and will be factored into the application review process.

SELECTION CRITERIA

Applications will be evaluated based on the following factors:

1. Legal education and experience;
2. Familiarity with the laws, rules, practices, and treaty obligations applicable to freedom of association, assembly, and expression in the selected country;
3. Excellent research, analytical, and writing skills;
4. Compliance with eligibility requirements and application procedures;
5. Commitment to, and track-record in complying with project submission deadlines;
6. Proposed timeline for the preparing Guidelines and draft submissions;
7. Competitiveness of the budget, consultancy rate, time availability, and value for money.

Please contact us at pbonwich@icnl.org in case of questions. All application materials should be submitted in English. **Applications will be considered until May 15, 2022. Only one applicant will be selected to prepare the Guidelines.**

APPLICATION COVERSHEET

Please complete the coversheet and submit it, along with your proposal and other application documents to pbonwich@icnl.org. Please ensure that the subject of your email is: "“Guidelines on How to Organize Work in Poland for Foreign Nationals.” If you do not receive confirmation that your application was received within 48 hours, please contact us by email again.

Full Name:

Position:

Organization:

Mailing Address Line 1:

Mailing Address Line 2:

Mailing Address Line 3:

Country:

Email Address:

Telephone Number:

Check the boxes below to indicate that you have properly completed the application.

* I have attached a CV and a writing sample.
* I have attached a line-item budget.
* I reside and work in an eligible country (Poland).