



Council of the
European Union

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SCH-EVAL 71
COMIX 377

DECLASSIFICATION

of document: ST8441/06 ADD 1 RESTREINT UE/EU RESTRICTED
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Subject: Schengen evaluation of the new Member States
- Questionnaire - Additional questions presented by the Commission
Services – Reply from POLAND

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

RESTREINT UE



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NOTE

from : the Polish delegation

to : the Schengen evaluation Working Party

No. prev. doc. : 6557/1/06 REV 1 SCH-EVAL 25 COMIX 183

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- Questionnaire - Additional questions presented by the Commission Services – Reply from POLAND

Question 39:

Is there a penalty foreseen for persons assisting to third country nationals to enter and stay in other Member State than Poland?

On the basis of Article 264, paragraph 1, of the Polish Penal Code, a person who, in order to obtain financial or personal benefits, makes possible or facilitates illegal stay of another person within the territory of the Republic of Poland, is subject to from 3 months up to 5 years imprisonment. Current legislation does not provide for pursuing and punishing persons, who facilitate (assist in) entry and stay of third country nationals within the territory of the other Member States.