

Family Reunification Information Leaflet

The provisions of this leaflet only apply to persons who have Refugee Status in Ireland.

IT SHOULD BE NOTED THAT THIS LEAFLET IS NOT AND DOES NOT PURPORT TO BE A LEGAL DOCUMENT. IT IS PURELY FOR

Question 1:

Who can apply for Family Reunification under Section 18 of the Refugee Act 1996 (as amended)?

Answer 1:

Only persons granted Refugee Status in Ireland can apply for Family Reunification and every application must be accompanied by a signed letter from the Refugee making the application.

Persons who have residency rights in the State on any other basis are not eligible to apply.

Persons granted permission to enter or to remain in the State under Section 18 of the Refugee Act, 1996, are not in turn eligible to apply for Family Reunification for additional family members.

Question 2:

Who can a Refugee apply for under Section 18 of the Refugee Act, 1996?

Answer 2:

- 1). If the Refugee is married, he/she can apply for his/her spouse (provided the marriage is subsisting on the date the application is made).
- 2). The Refugee can apply for permission for his/her children who are under the age of 18 and unmarried.
- 3). Refugees under 18 years of age can apply for their parents.
- 4). The Minister for Justice, Equality and Law Reform also has discretion to grant permission for other **dependent** family members to be reunified with a Refugee (grandparent, parent, brother, sister, child, grandchild, ward or guardian of the Refugee). **In all such cases, the person in respect of whom such permission is sought must show clear evidence of dependency.**

Question 3:

How/Where do I make an application for Family Reunification if my family members are not currently in Ireland?

Answer 3:

The family member living abroad should make the visa application at his local Irish Embassy or Consular office. If there is no Irish embassy in the country or the person for whom the visa is required is unable to make the application, then the visa application can be made through the Visa Office, Ground floor, Irish Naturalisation and Immigration Service, Department of Justice, Equality and Law Reform, 13-14 Burgh Quay, Dublin 2 together with the appropriate fee €60 per application (as at April 2007).

When completing question 19 (Purpose of Journey) on the visa application form, please enter Family Reunification Scheme before submitting it.

Question 4:

How/Where do I make an application for Family Reunification if my family members are currently residing in Ireland?

Answer 4:

If a Refugee wishes to lodge an application for a family member currently residing in the State, a signed letter from the Refugee must be submitted when making the application to the Family Reunification Section, 3rd Floor, General Immigration, Irish Naturalisation and Immigration Service, Department of Justice, Equality and Law Reform, 13/14 Burgh Quay, Dublin 2. There is no fee or application form involved with this type of application.

Question 5:

How long will the process take?

Answer 5:

Applications are dealt with in chronological date order. The average processing time for Family Reunification applications is 24 months. (as at September 2007)

Question 6:

What does the process involve?

Answer 6:

When an application is received in the Family Reunification Section of the Immigration Division, Irish Naturalisation and Immigration Service, Department of Justice, Equality and Law Reform, 13-14 Burgh Quay, Dublin 2, an acknowledgement is sent to the applicant. The application is then forwarded to the Office of the Refugee Applications Commissioner for examination as required under Section 18 of the Refugee Act, 1996 (as amended). When the examination is completed, the Commissioner will prepare and forward a report to the Family Reunification Section of the Immigration Division, Irish Naturalisation and Immigration Service, Department of Justice, Equality and Law Reform.

The report the application will be considered in due course and a decision reached. When a decision is reached, the applicant will be informed in writing.

Question 7:

What documents do I need to submit with my application?

Please note the list of documents below is not an exhaustive list.

Answer 7:

(A) When applying for Husband/Wife you will need to submit:

- Original Birth Certificate/National ID Card/ Passport.
- Original Marriage Certificate.
- Original Divorce/Death Certificate of previous spouse(s) (if applicable).

(B) When applying for children (under age 18 and unmarried) you will need to submit:

- Original Birth Certificate/National ID/Passport.
- Current passport sized photos stating name of child, date of birth of child and the date the photo was taken.
- Original Statement of Parental Authorisation (granting permission for the child to travel to Ireland) from other parent if not travelling with child to Ireland.
- Original Death Certificate of other parent if applicable.
- Letter of authorisation from current guardian if not in the care of his/her parents.

(C) If you are a Refugee (under age 18 and unmarried) and wish to apply for your parents, you will need to submit:

- Your Original Birth Certificate.
- Your Parents' Original Birth Certificate/National ID/Passport.

(D) When applying for dependent relatives other than those listed above (e.g. mother, father, brother, sister, child, grandparents, ward or guardian) you will need to submit:

- Original Birth Certificate/National ID/Passport.
- Current passport sized photos stating name of child, date of birth of child and the date the photo was taken (if applicable).
- Marriage Certificates (if applicable).
- Death/Divorce certificates (if applicable).
- Evidence of custodial rights over family member i.e., adopted/fostered child.
- Evidence of financial dependency - that the Refugee has been supporting his/her family i.e., money transfer receipts, bank statements, postal orders etc.
- Evidence of physical and/or mental dependency, i.e. detailed medical reports.

Question 8:

Requests for the return of original documents?

Answer 8:

All documents submitted by the Refugee are generally retained until the decision has been reached on his/her application. If documents are required by the applicant for a specific reason, they are advised to request them in writing from the Office of the Refugee Applications Commissioner, Family Reunification Section, 79/83 Lower Mount Street, Dublin 2 (if the application is still under examination) or to the Family Reunification Section of the General Immigration Division (if the examination by ORAC, Office of the Refugee Applications Commissioner has been completed) giving full details.

Question 9:

What if I receive a **positive** decision in my Family Reunification Application?

Answer 9:

Should you receive a **positive** decision you will be informed in writing by the Family Reunification Section of the General Immigration Division.

- If you have submitted a passport with the visa application, the passport will be forwarded to the Visa Office, Ground floor, Irish Naturalisation and Immigration Service, Department of Justice, Equality and Law Reform, 13-14 Burgh Quay, Dublin 2 in order that the visa can be placed in it. You should contact that office approximately seven working days after receipt of your decision letter to make the necessary arrangements to collect the passport.

OR

- If you have not submitted a passport with the visa application, you should contact the Visa Office approximately seven working days after receipt of your decision letter to make the necessary arrangements to collect the visa.

The Visa section can be contacted at 1890 551 500, from outside Ireland +353 1 6167700, Monday, Wednesday and Friday between the hours 10:00a.m. – 12:30p.m.

Question 10:

What if I receive a **negative** decision in my Family Reunification Application?

Answer 10:

Should you receive a **negative** decision you will be informed of the reasons in writing by the Family Reunification Section of the General Immigration Division. There is no provision under Section 18 of the Refugee Act 1996 (as amended) to appeal decisions.

However, if you have significant new information, it is open to you to submit a new visa application following the instructions as set out in **Answer 3**.

Question 11:

What if I have been granted Irish citizenship?

Answer 11:

Under Section 18 of the Refugee Act, 1996 a Refugee may apply to have family members join him/her in the State. However, if you have been granted Irish citizenship your entitlement to rely on Section 18 of the Refugee Act has ceased. Any visa applications submitted by you would be considered under standard visa procedures rather than Section 18 of the Refugee Act, 1996. Any further queries relating to these applications should be addressed to the Visa Office, Ground floor, Irish Naturalisation and Immigration Service, Department of Justice, Equality and Law Reform, 13-14 Burgh Quay, Dublin 2.