



DEPARTMENT OF JUSTICE AND EQUALITY
IRISH NATURALISATION & IMMIGRATION SERVICE

Explanatory Leaflet for FORM EU2

APPLICATION FOR A PERMANENT RESIDENCE CERTIFICATE (FOR A EUROPEAN UNION CITIZEN)

21/06/2011

1. Who can apply on Form EU2?

Form EU2 is to be completed by an EU citizen who wishes to apply for a permanent residence certificate, having resided in the State for a period of five years or more while engaged in employment, self-employment, the pursuit of a course of study, involuntary unemployment, or the possession of sufficient resources.

An EU citizen may also acquire a right to permanent residence having ceased employment or self-employment in the State due to retirement, permanent incapacity or an occupational illness.

Form EU2 can be downloaded from the website at <http://www.inis.gov.ie>.

2. Legislation

Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (the "Directive") is given effect in Ireland by the European Communities (Free Movement of Persons) Regulations 2006 and 2008 (the "Regulations").

The Directive and the Regulations apply to citizens of the European Union, citizens of EEA member states and citizens of Switzerland who move to or reside in a Member State other than that of which they are a national, and to their family members who accompany or join them.

Under Regulation 15 of the Regulations, a Union citizen who is entitled to remain permanently in the State by virtue of the Regulations may apply for a permanent residence certificate. A Union citizen must conform with the provisions of Regulation 12 or Regulation 13 of the Regulations to obtain a right to permanent residence.

3. Making sure your application is complete

Your application will not be accepted if it is incomplete. To avoid delay, please observe the following.

- Make your application on the correct application form and complete **all five Sections** of the form
- Provide all required documents as per the checklist in **Section 4** of the form
- Submit **original** documents only - photocopies are not accepted
- Sign and date the declaration in **Section 5** of the form
- If you are presently unable to provide any of the information or details requested in any of the relevant sections, please explain the reasons in a letter and enclose it with the application form

All correspondence containing original documentation should be submitted by **Registered Post**. Applications should be posted to:

**EU Treaty Rights Section
Irish Naturalisation and Immigration Service
13/14 Burgh Quay
Dublin 2**

You may be required to attend for an interview in connection with your application.

If you need to contact the EU Treaty Rights Section regarding your application you can do so by post at the above address or by email at eutreatyrights@justice.ie. Please ensure that you include your name, your date of birth, and your Department reference number (69/ number) in all correspondence.

4. Application times

Due to the large volume of applications it can take up to 6 months for an application decision to be reached. All applications are dealt with strictly in chronological order of the date of receipt.

5. Changes in circumstances

If your circumstances change (such as a change of address or a change in your activity or employment) you must inform the EU Treaty Rights Section in writing immediately. Failure to do so may result in your application being refused. The obligation is on you at all times to notify this office of any changes to your circumstances in accordance with Regulation 11(2) and 11(4) of the Regulations.

6. Data Protection notice

All information provided will be treated in confidence but may be disclosed to other government departments, agencies, the Garda Síochána, local authorities, foreign governments or other bodies strictly for purposes connected to the application.

7. Exercise of EU Treaty Rights

An EU citizen residing in the State exercises their rights under the Regulations and the Directive by engaging in one of the following activities, as outlined in Regulation 6(2)(a) of the Regulations.

Employment

Where the EU citizen is working for an employer in the State. This may include vocational training programmes and some non-proprietary directors of a registered company.

Self-employment

Where the EU citizen is a sole trader, in a business partnership, or is a proprietary director of a registered company operating in the State.

Study

Where the EU citizen is engaged in a course of study with a qualifying and recognised educational institute or college in the State, while possessing comprehensive sickness/health insurance in respect of them self, their spouse, and any dependants.

Involuntary unemployment

Where the EU citizen has been employed in the State for more than one year but has become involuntarily unemployed, and has registered as a job-seeker with a relevant office of the Department of Social Protection and FÁS.

Residing with sufficient resources

Where the EU citizen has sufficient resources to maintain themselves and any dependants in the State, while possessing comprehensive sickness/health insurance in respect of them self, their spouse, and any dependants. A person shall be regarded as not having sufficient resources to support them self and any dependants where that person would qualify for assistance under Part 3 of the Social Welfare Consolidation Act 2005 (No. 26 of 2005) if a claim were made by them or on their behalf.

8. Outline of the form

- Use **BLOCK CAPITALS** and a **black pen** to complete the form
- Please leave a space between each word
- If you require additional space for **Section 2** or **Section 3**, please use **Annex A** and **Annex B** (respectively) which can be found on the website with Form EU2 at <http://www.inis.gov.ie>.

Section 1 - Applicant Details

This section is for your personal details.

Section 2 - Residence in the State

This section is for the details of your residential addresses in the State. You must provide details for all addresses at which you have resided for the last 5 years. If you require additional space, please use **Annex A** and attach it to your application form. Supporting documents are required for each address (see **Section 4**). If you reside with a spouse or partner at your current address, please supply details in the box provided.

Section 3 - Activities in the State

This section is for details relating to your activities in the State under Regulation 6(2) of the Regulations.

- In the first part of Section 3 you should outline your current activity in the State.
- In the second part of Section 3 you should outline **all** previous activities in the State for the last 5 years. If you require additional space, please use **Annex B** and attach it to your application form.

Section 4 - Document Checklist

This section contains the checklist for the supporting documents which must be submitted with your application.

Section 5 - Declaration

This section is for the declaration to be signed by the applicant affirming that the contents of the application are truthful. Unsigned forms will be returned and will not be accepted as valid applications.

9. Documentation to support an application for a permanent residence certificate (Form EU2)

All documents submitted with the application must be **original**. Photocopies cannot be accepted. Any documents which are not in English must be accompanied by a certified translation. Documents will be returned by Registered Post within one month of receipt, however, it may be necessary to retain some documents until such time as the application is finalised. Please note that any documents submitted may be subject to verification.

Note on passport-size photos

- Minimum size 35mm x 45mm, maximum size 38mm x 50mm
- Photographs should be not more than 6 months old
- The photograph should show a full front view of the subject's head, as he or she would normally appear
- The image must be sharp and clear, and taken against a plain white or light grey background
- Sunglasses are not acceptable - tinted glasses may be worn provided they do not obscure the person's eyes
- Only head coverings worn for religious reasons are permitted; hair bands are not allowed

Required Supporting Documents

(a) Evidence of identity

- A valid passport or national identity card
- Two passport-size photos of the applicant

(b) Evidence of activities in the State for the last 5 years

For each period of employment, the following documents should be provided:

- Letter from employer setting out terms and conditions of employment AND/OR signed contract of employment
- Contact details for employer
- P60 for the last five years (or for any years applicable)
- Copies of employment permit(s), if applicable

For each period of self-employment, the following documents should be provided:

- Agreed Tax Assessment from the Revenue Commissioner for each financial year
- VAT3 receipts (if applicable)
- Bank statements of the business for six months, and copies of corresponding invoices or receipts issued

For each period of study, the following documents should be provided:

- Letter from college/course provider including course description, start date and completion date
- Letter from private medical insurance provider
- Bank statements AND/OR evidence of financial resources

For each period of involuntary unemployment, the following documents should be provided:

- Letter from Department of Social Protection with details of benefit claims
- Letter from FÁS acknowledging registration as a jobseeker
- P60s for two prior years of employment

For each period while residing with sufficient resources, the following documents should be provided:

- Bank statements AND/OR evidence of financial resources
- Letter from private medical insurance provider

(c) Evidence of retirement, permanent incapacity or occupational illness (if applicable)

- Documentary evidence of cessation of employment or self-employment, outlining the circumstances of cessation
- Documentary evidence of receipt of a state pension (contributory or non-contributory), or an allowance, benefit or supplement with respect to a disability, injury or illness (as applicable)

(d) Evidence of residence in the State for the last 5 years

For each residential address while renting:

- Letter from landlord/agency, rental contract or rent book
- Utility bills

For each residential address as a home-owner:

- Letter from mortgage provider OR letter from local authority or County Council
- Utility bills

Other evidence of residence may be considered if deemed satisfactory. If you are not renting or a homeowner, then the person you are living with should provide the above documents with a written declaration of your residence in addition to any other evidence of your residence.

Note: If for any reason you cannot supply some or all of the required documentation above, you must provide a written statement explaining why. Provision of some or all of the above documentation is not a guarantee of a successful application.