



DEPARTMENT OF JUSTICE AND EQUALITY
IRISH NATURALISATION & IMMIGRATION SERVICE

Explanatory Leaflet for FORM EU4 REQUEST FOR REVIEW OF DECISION (FOR EU1, EU2 OR EU3 APPLICANT)

21/06/2011

1. When should I use Form EU4?

Form EU4 should be completed if you have received a decision to refuse your application for a residence card (Form EU1), permanent residence certificate (Form EU2) or permanent residence card (Form EU3) and you wish to seek a review of that decision. A request for a review should be made only when you feel that the deciding officer has erred in fact or in law.

A request for a review of a decision should be made within 15 working days of the date of the refusal letter.

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 21 of the Regulations, a person to whom the Regulations apply may seek a review of any decision concerning the person's entitlement to be allowed to reside in the State.

3. Making sure your application is complete

An application for a review will not be accepted if it is incomplete. To avoid delay, please observe the following.

- make your application on the correct application form
- complete **all six Sections** of the form
- submit **original** supporting documents only - photocopies of documents are not accepted
- sign and date both declarations in **Section 6** 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 for a review should be posted to:

**EU Treaty Rights Review Unit
Irish Naturalisation & Immigration Service
Department of Justice and Equality
13/14 Burgh Quay
Dublin 2**

You and the EU citizen of whom you are a family member may be required to attend for an interview in connection with your review.

If you need to contact the EU Treaty Rights Review Unit 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. Changes in circumstances

If your circumstances change (such as a change of address, a change in family status, or a change in the activities of the EU citizen) you must inform the EU Treaty Rights Review Unit in writing immediately. Failure to do so may result in your application being refused.

5. 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.

6. Supporting documentation

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

If for any reason you cannot supply some or all necessary documentation, you should provide a written statement explaining why.

The obligation is on you at all times to provide satisfactory evidence of your compliance with the Regulations and to notify this office of any changes to your circumstances in accordance with Regulation 11(2) and 11(4) of the Regulations.

7. Outline of the form

- Use **BLOCK CAPITALS** and a **black pen** to complete the form
- Please leave a space between each word

Section 1 - Application to be Reviewed

This section is for details of the original application which is to be reviewed.

Section 2 - Applicant Details

This section is for details of the applicant of the original application which is to be reviewed. For an EU2 application, the applicant is an EU citizen. For EU1 and EU3 applications, the applicant is the family member of the EU citizen.

Section 3 - Details of EU Citizen *(for EU1 and EU3 only)*

This section is for details of the EU citizen of whom the applicant is a family member. This section is not required for a request for a review of an EU2 application.

Section 4 - Details of Legal Representation *(if applicable)*

This section is for details of your solicitor or other legal representative. You must sign the declaration in order to authorise your legal representative to act on your behalf for your review application.

Section 5 - Details of Review

In this section you must state the grounds for your request for a review, make any additional statements which you wish to have considered, and list any additional documents which you are submitting along with your review application.

Section 6 - Declarations

This section is for declarations to be signed by the applicant and the EU citizen of whom the applicant is a family member affirming that the contents of the request for a review are truthful. Unsigned forms will be returned and will not be accepted as valid applications. For requests for the review of an EU2 application, only the applicant needs to sign the declaration.