DEPARTMENT OF JUSTICE AND EQUALITY
IRISH NATURALISATION & IMMIGRATION SERVICE

FORM EU5

DATE STAMP

(FOR OFFICE USE ONLY)

Application for Retention of a Residence Card

2016-02

For non-EEA national family member

This form is to be completed by each non-EEA national applying to retain a residence card under the European Communities (Free Movement of Persons) Regulations 2015 after the divorce or annulment of the marriage to the EU citizen, the death of the EU citizen, or the departure of the EU citizen from the State.

- This form must be completed in **BLOCK CAPITALS**. Where indicated, please place a tick (✓) in the appropriate box.
- All sections must be completed. The declaration in **Section 6** must be signed. Incomplete applications cannot be processed and will be returned.
- Please note that certain documents are required to be submitted with this form. Please refer to the checklist in **Section 5** of this form. All documents should be submitted as photocopies. No original documents should be submitted with this application. Original documents may be requested by this office during the course of your application.
- If you are 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 this application form.
- You may be required to attend for an interview in connection with this application.
- While your application is being processed at this office, the onus is on you, the applicant, to advise this office of any change in your circumstances and submit new supporting documentation as appropriate.

Section 1 | Applicant Details

1.1 Original Residence Card Application ID Number *(if known)*

–EUTR–

1.2 INIS Person ID Number *(if known)*

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1.3 Surname / Family name *(as in passport)*

1.4 Forename(s) *(as in passport)*

1.5 Other name(s) *(maiden name, name at birth, any other names by which you are or have been known)*

1.6 Date of Birth

/ /

Day Month Year

1.7 Gender *(please tick)*

Male Female

1.8 PPS Number

1.9 Nationality

1.10 Current Residential Address in Ireland

1.11 Old Department Reference Number *(if applicable)*

6 9 / /

1.12 Contact Telephone Number

1.13 Email Address

Section 2 Details of EU Citizen

2.1 Surname / Family name *(as in passport)*

2.2 Forename(s) *(as in passport)*

2.3 Other name(s) *(maiden name, name at birth, any other names by which you are or have been known)*

2.4 INIS Person ID Number *(if known)*

2.5 Old Department Reference Number *(if applicable)*

6 9 /

2.6 Date of Birth

Day / Month / Year

2.7 Gender *(please tick)*

Male Female

2.8 PPS Number

2.9 Nationality

2.10 Current Residential Address *(if known)*

Section 3 Basis of Retention of Rights

3.1 Circumstance requiring retention of residence rights *(please tick one)*

(A) Divorce or annulment of marriage to EU citizen, or annulment or dissolution of civil partnership with EU citizen

(B) Death of EU citizen

(C) Departure of EU citizen from the State

Please fill out Part A, Part B or Part C below as applicable to the circumstance identified.

(A) Divorce, annulment or dissolution of marriage or civil partnership

3.2 Date of initiation annulment or dissolution proceedings

Day / Month / Year

3.3 Date of decree of divorce, nullity or dissolution

Day / Month / Year

3.4 Number of minor children of the EU citizen of whom the applicant has legal custody in the State:

3.5 Number of minor children of the EU citizen to whom the applicant has right of access in the State:

3.6 Basis of legal custody or right of access to minor children of the EU citizen: *(please tick)*

By agreement with the EU citizen By court order No Minor Children

3.7 Date of departure of EU citizen from the State *(if applicable)*

Day / Month / Year

(B) Death of EU citizen

3.8 Date of death of EU citizen

Day / Month / Year

3.9 Number of minor children of the EU citizen of whom the applicant has legal custody in the State:

3.10 Are one or more children of the EU citizen enrolled in an educational establishment in the State? ☐ Yes ☐ No

(C) Departure of EU citizen from the State

3.11 Date of departure of EU citizen from the State

Day / Month / Year

3.12 Number of minor children of the EU citizen of whom the applicant has legal custody in the State:

3.13 Are one or more children of the EU citizen enrolled in an educational establishment in the State? ☐ Yes ☐ No

3.14 Basis of legal custody of minor children of the EU citizen: *(please tick)*

☐ By agreement with the EU citizen ☐ By court order

3.15 Any other relevant information or circumstances

Section 4 | Applicant's current activity in the State

4.1 Applicant's current activity in the State *(please tick)*

☐ Employment ☐ Self-employment ☐ Residing with sufficient resources

4.2 Name of employer or business

4.3 Address of workplace or business

4.4 Contact email address of employer, business or college

4.5 Contact telephone number for employer, business or college

4.6 Date of commencement of activity

Day / Month / Year

4.7 Details of sufficient resources or social welfare *(if applicable)*

Section 5 | Document Checklist

Please provide **photocopies** of the documents requested below. Identity documents and civil certificates should be photocopied in colour and photocopies should include all pages (including blank passport pages).

Evidence of identity

- ☐ Passport of applicant
- ☐ Two passport-size photos of applicant

Evidence of applicant's current activity in the State

Employment

- ☐ Current letter from employer setting out terms, conditions and hours of employment **AND/OR** Signed contract of employment
- ☐ Two recent payslips
- ☐ Most recent P60 or Tax Credit Certificate

Self-employment

- ☐ Agreed Tax Assessment from the Revenue Commissioner for the last financial year *(if applicable)* **OR** Letter of Registration for Self-Assessment (Income Tax) from the Revenue Commissioner
- ☐ Receipts issued for sales or services in the last six months
- ☐ Bank statements of the business for the last six months

Residing with sufficient resources

- ☐ Evidence of financial resources and corresponding bank statements
- ☐ Current letter from Department of Social Protection with details of benefit claims
- ☐ Letter from private medical insurance provider

Evidence of residence in the State

If Renting

- ☐ Letter from landlord/agency, tenancy agreement, or Letter of Registration from Private Residential Tenancies Board
- ☐ Utility bills

If Home-owning

- ☐ Letter from mortgage provider, local authority or County Council
- ☐ Copy of title or deeds as applicable
- ☐ Utility bills

Please provide the following documents as applicable.

Evidence of divorce, annulment or dissolution

- ☐ Decree of divorce, nullity or dissolution
- ☐ Evidence of date of initiation of divorce or annulment proceedings
- ☐ Evidence that marriage or civil partnership has subsisted for at least 1 year in the State
- ☐ Evidence of the activity and residence of the EU citizen at time of divorce, annulment or dissolution

Evidence of death of EU citizen

- ☐ Death Certificate

Details of children of the EU citizen in the State

- ☐ Letters from educational establishments
- ☐ Birth certificates of children
- ☐ Written agreement of EU citizen granting custody or right of access *(if applicable)*
- ☐ Court order appointing custody or right of access *(if applicable)*

Section 6 Declaration

This declaration should be signed and dated by the applicant or by the parent or guardian of an applicant under the age of 18.

The information I have given is complete and is true to the best of my knowledge. I also declare that the photographs submitted with this form are a true likeness of me. I confirm that if, before my application is decided, there is a material change in my circumstances or new information relevant to this application becomes available, I will inform the EU Treaty Rights Unit of the Department of Justice and Equality in writing immediately. I understand that any false or misleading information or fraudulent supporting documentation submitted will result in the refusal of this application.

I understand that, under Section 8 of the Immigration Act 2003 and Regulation 26 of the European Communities (Free Movement of Persons) Regulations 2015, the data in this application may be disclosed to other Irish Government Departments as well as to public authorities of the Member States of the European Union and European Economic Area (EEA) for purposes connected to this application. I consent to the EU Treaty Rights Unit making enquiries to confirm any of the details or documents provided by me in this application, including my participation in an interview process.

I am aware that a person who asserts an entitlement to any rights on the basis of information which he or she knows to be false or misleading in a material particular shall be guilty of an offence and shall be liable, on summary conviction or conviction on indictment, to a fine or term of imprisonment, or both, as set out in Regulation 30 of the European Communities (Free Movement of Persons) Regulations 2015.

Signed by applicant

Date

Day / Month / Year

Submission of incomplete forms or failure to submit all requested documentation will result in the automatic return of your application. All documents submitted should be photocopies.

Please return completed forms and documents to:

Retention of Rights
EU Treaty Rights Unit
Residence Division
Irish Naturalisation and Immigration Service
13/14 Burgh Quay
Dublin 2