

## 1. THE IMMIGRATION PROCESS IN IRELAND

Ireland's policy and procedures in relation to immigration and immigration related matters are the responsibility of the Minister for Justice, Equality and Law Reform including:

- Rules governing the entry to, and residence in the State, of non-nationals in accordance with immigration legislation as well as the relevant EU law regarding the rights of residence of nationals of EEA States.
- Overall policy in relation to the issuing of visas.
- Requests for leave to land in the State from persons other than Irish or British citizens.
- Requests for permission to remain in the State and residence permits.
- Applications for citizenship.
- Dealing with the deportation of persons who are not or are no longer entitled to remain in the State such as failed asylum seekers.
- Operation of a Voluntary Return Programme which includes asylum seekers.
- International Immigration Policy including EU aspects.

### TACKLING TRAFFICKING

While overall policy development and implementation in relation to the tackling of people trafficking is also the responsibility of the Minister for Justice, Equality and Law Reform, operational strategies in this area are the responsibility of the **Garda (Police) National Immigration Bureau** which was established in May 2000. The Bureau has made significant progress since its establishment in the implementation of those elements of the State's immigration strategy which have come within its remit. These include:

- The effective co-ordination of activities leading to the execution of deportation orders.
- The effective co-ordination of operational strategies and resources from point of entry into the State (airports, ports and border crossings).
- The co-ordination and direction of strategies to combat trafficking in illegal immigrants.
- The strengthening of international liaison arrangements on relevant immigration issues including liaison with Garda liaison officers based abroad.
- The provision of non-national registration service and the enforcement of immigration law generally.

## 2. COMPUTERISED REGISTRATION SYSTEM FOR NONNATIONALS

A Computerised Registration System has been introduced to assist the statutory requirement for all non-EEA nationals to register in the State with the Gardai.

## 3. DEVELOPMENT OF NEW IMMIGRATION LEGISLATION

The Immigration Act, 2003 commenced with effect from 15 September 2003. A central element includes the introduction of **carrier sanctions** with a view to improving controls on illegal migration into Ireland. This is designed to require carriers to carry out basic checks to ensure that passengers boarded for carriage into the State from outside the Common Travel Area (UK, Northern Ireland, the Channel Islands and the Isle of Man) are in possession of valid documentation necessary for entry into the State.

### **Planned New Immigration and Residence Legislation**

Comprehensive new *Immigration and Residence legislation* is also being prepared which will consolidate existing immigration legislation. The new legislation will create the framework for a streamlined immigration system which will provide for the entry into the country of non-nationals with a view to supporting the social and economic goals of Irish society and the needs of Irish citizens, having regard to the protection of national security and public order and the capacity of the State to integrate non-nationals.

### **Employment Permits Act, 2003**

Legislation has also been enacted placing **sanctions on employers** for the employment of persons without a work permit. Further details are available from:

The Work Permit Section,  
Department of Enterprise,  
Trade and Employment,  
Davitt House,  
Dublin 2.

Telephone (00 353 1 631 2121) Website: [www.entemp.ie](http://www.entemp.ie)

Log on to <http://www.entemp.ie> for more details

## 4. REQUIREMENTS FOR LEGAL IMMIGRATION

You may, of course, come to Ireland legally, including for the purpose of seeking employment, provided you follow the correct entry and registration procedures. At the present time, nationals from certain states are required to possess a visa prior to entry to Ireland.

### Publications

#### LIST OF STATES WHOSE NATIONALS DO NOT REQUIRE AN ENTRY VISA FOR IRELAND

Andorra	Guatemala	Poland
Antigua & Barbuda	Guyana	Portugal
Argentina	Honduras	Romania
Australia	Hong Kong (Special Administrative Region)	Saint Kitts & Nevis
Austria	Hungary	Saint Lucia
The Bahamas	Iceland	Saint Vincent & the Grenadines
Barbados	Israel	Samoa
Belgium	Italy	San Marino
Belize	Japan	Seychelles
Bolivia	Kiribati	Singapore
Botswana	Latvia	Slovak Republic
Brazil	Lesotho	Slovenia
Brunei	Liechtenstein	Solomon Islands
Bulgaria	Lithuania	South Africa
Canada	Luxembourg	South Korea
Chile	Macau (Special Administrative Region)	Spain
Costa Rica	Malawi	Swaziland
Croatia	Malaysia	Sweden
Cyprus	Maldives	Switzerland
Czech Republic	Malta	Tonga
Denmark	Mauritius	Trinidad & Tobago
Dominica	Mexico	Tuvalu
El Salvador	Monaco	United Kingdom & Colonies
Estonia	Nauru	United States of America
Fiji	Netherlands	Uruguay
Finland	New Zealand	Vanuatu
France	Nicaragua	Vatican City
Germany	Norway	Venezuela
Greece	Panama	
Grenada	Paraguay	

***Classes of non-nationals required to be in possession of a valid transit visa when arriving at a port in the State for the purposes of passing through the port in order to travel to another state;***

Afghanistan	Lebanon
Albania	Moldova
Cuba	Montenegro
Democratic Republic of the Congo	Nigeria
Eritrea	Serbia
Ethiopia	Somalia
Ghana	Sri Lanka
Iran	Zimbabwe
Iraq	

*For More Information Contact:*

*Department of Justice, Equality and Law Reform  
13/14 Burgh Quay,  
Dublin 2,  
Ireland.*

*Tel: +353 - 1 - 6167700  
FAX: +353 - 1 - 6167850*

*Internet: [Immigration\\_Mail@Justice.ie](mailto:Immigration_Mail@Justice.ie)*

## **5. APPLICATIONS FOR RESIDENCY BASED ON PARENTAGE OF AN IRISH BORN CHILD.**

As a result of the Supreme Court's Decision of the 23 January, 2003 the Immigration Division of the Department of Justice, Equality and Law Reform **no longer accepts** applications from persons for residency based on their parentage of an Irish born child.

For that reason the "Information Leaflet and Application Form" for Irish born child applications has been withdrawn. Where the Minister proposes to deport a person who is the parent of an Irish born child that person will be given an opportunity to make representations in relation to the Minister's proposal and all factors relevant to the Minister's determination will be taken into account. However, the Immigration Division of the Department of Justice, Equality and Law Reform will not accept, consider, acknowledge or process in any way applications made in advance of the initiation of the deportation process, irrespective of the manner in which such applications are made.

## **6. LEAVE TO LAND UPON ARRIVAL IN THE STATE**

**Possession of a visa does not guarantee entry to the State.** All persons arriving in Ireland are subject to immigration controls upon arrival. These controls are applied on an occasional basis on passengers arriving from within the Common Travel Area with the UK and systematically on other passengers. Non-EEA nationals, whether visa required or not, should be in a position to satisfy an Immigration Officer that they can be granted leave to land. In particular, they should be able to satisfy an Immigration Officer that they have sufficient funds to support themselves during their visit, that they have a work permit if one is required (see paragraph No. 4) and that they do not otherwise intend to breach Irish immigration or other law.

## **7. REQUIREMENTS FOR NON-EEA NATIONALS WHO WISH TO TAKE UP EMPLOYMENT IN IRELAND**

Nationals of the European Economic Area (EEA) do not require prior authorisation to take up employment in Ireland. The EEA consists of the EU States plus Norway, Iceland and Liechtenstein.

**Note:** Nationals of Switzerland are treated for immigration purposes as if they were EEA nationals. With the exception of a number of clearly defined categories of person (see Section 12), non-EEA nationals require a work permit prior to taking up employment in the State. A prospective employer should apply for a work permit on their behalf to the Department of Enterprise, Trade and Employment. Further details, including an application form, are available from the Work Permit Section, Department of Enterprise, Trade and Employment, Davitt House, Dublin 2. Telephone (00 353 1 631 2121).

However, a number of categories of non-EEA nationals who previously required work permits in order to take up employment in the State no longer require such permits (see section 12).

Persons who are of a visa required nationality will also require an employment visa prior to entering the State. Once such persons have been granted a work permit they should apply for an employment visa through the Irish Embassy or Consulate in their country of permanent residence or, if there is no Irish representation in the applicant's country of permanent residence, they may apply directly to:

The Irish Naturalisation & Immigration Service,  
Visa Office,  
13/14 Burgh Quay,  
Dublin 2.  
Telephone (00 353 1) 6631000.

Visa required nationals who are already in the State on the basis of another category of visa (such as a visit or study visit) will generally not be permitted to change the status of that visa while in the State.

## **8. NON-EEA NATIONALS WHO DO NOT REQUIRE A WORK PERMIT**

The main categories of non-EEA nationals who do not require a work permit are as follows:

- Persons who have permission to remain in the State as the dependant relative of an EEA national who is exercising their EC Treaty rights of residence in Ireland.
- Persons who have permission to remain in the State as the spouse of an Irish national.
- Persons who have refugee status in Ireland.
- Persons who have been granted temporary leave to remain in the State on humanitarian grounds, having been in the asylum process.
- Persons who have permission to remain in the State as the parents of an Irish citizen.
- Persons who have been posted to Ireland for a maximum period of four years to an establishment or undertaking in Ireland which is owned by a company or group which has operations in more than one State ( intra corporate transfers)\*.
- Persons posted to Ireland for a maximum period of three years for training at an Irish-based company\*

*\* Both of these schemes were abolished in respect of new arrivals in the State with effect from 29 October 2002, but continue to apply in respect of persons who were in the State under these schemes prior to that date.*

Further details regarding the criteria which determine eligibility under any of these categories and how to avail of these exceptions to the work permit requirement should be sought from

The Work Permits Section,  
Department of Enterprise, Trade and Employment,  
Davitt House,  
65a Adelaide Road,  
Dublin 2.  
Telephone (00 353 1 631 2121).

## **9. STUDENT ENTRY REQUIREMENTS**

Persons wishing to come to Ireland to study may do so. However, in order to obtain permission to remain as a student, it must be established that the student has enrolled in private education and has paid fees and has sufficient funds to support himself/herself. Students are not permitted to take up employment while in the State. For prospective students from visa required countries, there are specific student visa guidelines.

Click [here](#) for more details on student visa requirements (*link to [www.entemp.ie](http://www.entemp.ie)*)

## **10. REGISTRATION AND PERMISSION TO REMAIN**

Non-EEA nationals, who wish to remain in the State for longer than 90 days are required to register with their local Garda Registration Office [Garda Immigration Registration Office, 13/14 Burgh Quay, Dublin 2; Telephone (00 353 1) 6669102 for persons living in Dublin Area; local Garda Superintendent's Office for persons living outside Dublin] and obtain further permission to remain.

For further information contact:

Department of Justice, Equality & Law Reform,  
13/14 Burgh Quay,  
Dublin 2,  
Ireland.

Tel: +353 -1- 6167700

Fax: +353 -1- 6167677

Internet: [Immigration\\_Mail@Justice.ie](mailto:Immigration_Mail@Justice.ie)