

NEW IMMIGRATION REGIME FOR FULL TIME NON-EEA STUDENTS

**Transitional Arrangements regarding the
placement in schools of non-EEA Children
not accompanied by parents and of children
of non-EEA Students in Ireland**

January 2011



Background

As set out in the review of non-EEA student immigration it is intended to move to a system of immigration levies whereby the cost to the State of unaccompanied non-EEA child students enrolling in Irish schools would be recouped. Putting this system in place in terms of legislation and administration will take some time and it will not come into force before 2012 therefore it is appropriate to set out some interim arrangements.

With regard to children being allowed to accompany a full time non-EEA student in Ireland, established policy in this area will remain in place and in general children of non-EEA students will not be permitted to accompany the primary student.

Transitional Arrangements

The following immigration arrangements now apply in relation to Children attending Fee Paying and Non Fee Paying Schools. These measures will apply with immediate effect.

(a) Unaccompanied children being placed in non-Fee paying schools.

Placements of unaccompanied children in non fee paying schools will continue to be prohibited. However those who are already in the system (i.e. prior to the 2010-11 school year) will be permitted to remain on to the end of July 2012. If they wish to stay on beyond that date they should anticipate some form of immigration levy being applied¹.

(b) Unaccompanied children being placed in fee paying schools

New placements will be permitted for the current school year. Provisions for new placements in the 2011-12 school year remain to be determined. Those who are already in the system (i.e. prior to the 2010-11 school year) will be permitted to remain on to the end of July 2012. If they wish to stay on beyond that date they should anticipate some form of immigration levy being applied.

(c) Children of non-EEA Students in the State

However, for children of non-EEA students currently in the State, the current policy whereby the children of persons who are here as students (holding Stamp 2 or 2a) must attend a fee paying school is being continued. However all children who are already in the system (i.e. prior to the 2010-2011 school year) will be permitted to remain on in their current school to the end of the parents course or to the end of July 2012, whichever is the earlier.

¹ While the mechanism to calculate any future levy has not been finalised the Student Review document published by Government states “It would be envisaged that any immigration levies determined by the Minister for Education and Skills would be on a sliding scale that sought full or partial recoupment, and that account would be taken of the lower level of state support given to schools outside the free education scheme. It is recognised that in some cases the level of tuition fees paid by non-EEA students is at such a high level and consequently makes a significant economic contribution to the State. It may be appropriate in these circumstances to take some account of this in assessing the levy”.

NOTE: These transitional arrangements will be updated in due course. The new policy in this area as outlined in the ‘New Immigration Regime for Full Time Non-EEA Students’ will be implemented for the 2012/2013 school year.

Documentation required when placing an unaccompanied child in a school in Ireland

Whether or not the child is of a nationality that is visa required (see Appendix 1), the same conditions apply and the same documentation will be necessary, either in support of the visa application or when seeking entry to the State.

Supporting evidence for the placement

- A letter from the fee paying school stating that the student fees have been paid (the amount should be stated) and that the student is enrolled as a pupil of the school;
- The address where the student will be staying (i.e. in the case of a boarding student that the school is providing all necessary accommodation and where the child is a day pupil living with a family, the name and address of the responsible adults with whom they are staying).
- Notarised documentation from the parents/legal guardians of the unaccompanied child student confirming their agreement to the child coming to Ireland for study purposes and also confirming that the school/host family/education agency are the legal guardians of the unaccompanied child student during the child’s stay in Ireland;
- Copies of the parents/legal guardians passports;
- Where the child is residing with a host family other than relatives, Garda clearance in respect of that family will be required. Documentary proof of this will be required.

Note: The granting of a visa to a person under the age of 18 years for the purpose of study does not give any entitlement to any other family member to accompany or join the student in the State

Appendix 1 – Non Visa Required Countries

Citizens of certain countries require an entry visa for Ireland.

If you are a citizen of a country that is on schedule 1 below, you do NOT require an entry visa for Ireland. Citizens of countries which are not on the list must apply for a visa before they travel to Ireland.

Please note that a Schengen or UK visa or residence permission is NOT valid for travel to Ireland. If you are a national of a visa-required country you will need to apply for an Irish visa in advance of travel to Ireland.

Transit Visas ARE required by citizens of the countries listed in schedule 2 below.

All citizens of non-EU countries, whether they require a visa or not, are subject to immigration control at the point of entry to Ireland.

LIST OF COUNTRIES WHOSE PASSPORT HOLDERS DO NOT REQUIRE VISAS TO ENTER IRELAND:

ANDORRA
ANTIGUA and BARBUDA
ARGENTINA
AUSTRALIA
AUSTRIA
BAHAMAS
BARBADOS
BELGIUM
BELIZE
BOLIVIA
BOTSWANA
BRAZIL
BRUNEI
BULGARIA
CANADA
CHILE
COSTA RICA
CROATIA
CYPRUS
CZECH REPUBLIC
DENMARK
DOMINICA
EL SALVADOR
ESTONIA
FIJI
FINLAND
FRANCE
GERMANY
GREECE

GRENADA
GUATEMALA
GUYANA
HONDURAS
HONG KONG (Special Administrative Region) (*See further information below).
HUNGARY
ICELAND
ISRAEL
ITALY
JAPAN
KIRIBATI
LATVIA
LESOTHO
LIECHTENSTEIN
LITHUANIA
LUXEMBOURG
MACAU (Special Administrative Region)
MALAWI
MALAYSIA
MALDIVES
MALTA
MEXICO
MONACO
NAURU
NETHERLANDS
NEW ZEALAND
NICARAGUA
NORWAY
PANAMA
PARAGUAY
POLAND
PORTUGAL
ROMANIA
SAINT KITTS & NEVIS
SAINT LUCIA
SAINT VINCENT & THE GRENADINES
SAMOA
SAN MARINO
SEYCHELLES
SINGAPORE
SLOVAK REPUBLIC
SLOVENIA
SOLOMON ISLANDS
SOUTH AFRICA
SOUTH KOREA
SPAIN
SWAZILAND
SWEDEN
SWITZERLAND
TAIWAN

TONGA
TRINIDAD & TOBAGO
TUVALU
UNITED KINGDOM & Dependent Territories (noted below)
UNITED STATES of AMERICA
URUGUAY
VANUATU
VATICAN CITY
VENEZUELA

BRITISH DEPENDENT TERRITORIES

ANGUILLA
BERMUDA
BRITISH ANTARCTIC TERRITORY (South Georgia, South Sandwich Islands)
BRITISH INDIAN OCEAN TERRITORIES (Chagos Archipelago, Peros Banos, Diego Garcia, Danger Island)
CAYMAN ISLANDS
FALKLAND ISLANDS and DEPENDENCIES
GIBRALTAR
MONTSERRAT
PITCAIRN (Henderson, Ducie and Oneno Islands)
St. HELENA and DEPENDENCIES (Ascension Island, Tristan Da Cunha)
The SOVERIGN BASE AREAS of AKROTIRI and DHEKILA
TURKS and CAICOS ISLAND
BRITISH VIRGIN ISLANDS

***HONG KONG SAR**

A person in possession of a Hong Kong certificate of identity requires an entry visa for the State.

Persons who are holders of a **British Hong Kong Passport** who have a right of abode in Great Britain do not require entry visas.

Persons who are holders of a **British Hong Kong Passport** who have a right of abode in Hong Kong only do not require entry visas but they are subject to full foreign national controls in respect of registration, permission to remain, work permits etc.

CONVENTION TRAVEL DOCUMENTS

Visas are not required by persons who are holders of Convention travel documents issued by the following countries:

BELGIUM
CZECH REPUBLIC
DENMARK
FINLAND
GERMANY

ICELAND
ITALY
LIECHTENSTEIN
LUXEMBOURG
MALTA
NETHERLANDS
NORWAY
POLAND
PORTUGAL
ROMANIA
SLOVAKIA
SPAIN
SWEDEN
SWITZERLAND.

Applicants who are holders of Convention travel documents issued by EEA states should refer to Article 3 of the [Immigration Act 2004 Order 2009 \(PDF 109kb\)](#) (Short visits only).

SCHEDULE 2

TRANSIT VISAS ARE REQUIRED BY CITIZENS OF THE FOLLOWING:

AFGHANISTAN
ALBANIA
CUBA
DEMOCRATIC REPUBLIC OF THE CONGO
ERITREA
ETHIOPIA
GHANA
IRAN
IRAQ
LEBANON
MOLDOVA
MONTENEGRO
NIGERIA
SERBIA
SOMALIA
SRI LANKA
ZIMBABWE