



DEPARTMENT OF JUSTICE AND EQUALITY  
IRISH NATURALISATION & IMMIGRATION SERVICE

## Explanatory Leaflet

### APPLICATION FOR A RESIDENCE PERMISSION FOR A DE FACTO PARTNER

#### 1. Who should apply?

This form is to be completed by the De Facto Partner applying for permission to remain in the State on the basis of **De Facto Partnership to an Irish National or a legal resident in Ireland on a stamp 1,4 or 5 (the sponsor)** as set out in " **Policy Document on Non-EEA Family Reunification**" available at INIS website: [www.inis.gov.ie](http://www.inis.gov.ie).

#### 2. Making sure your application is complete

Your application will not be accepted if it is incomplete.

- This form must be completed in **BLOCK CAPITALS**. Where indicated, please place a tick ( ✓ ) in the appropriate box.
- All sections must be completed as required. Statutory declarations in **Section 8** must be signed before a solicitor, commissioner of oaths or peace commissioner. 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 9** of this form. **All documents should be submitted as photocopies**, unless otherwise requested, as it is not possible to return any documentation that is submitted with your application.
- 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 **Section 7** of application form.

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 (including change of residence or change in activities of the De Facto Partner). You must submit new supporting documentation as appropriate. The onus remains on you to keep your permission to remain in the State up to date at all times. This office may consider providing temporary permission (stamp 3) to remain during the application process. Applications should be posted to:

**De Facto Partnership Unit  
Residence Division – Unit 5  
Irish Naturalisation and Immigration Service  
PO Box 12695  
Dublin 2**

If you need to contact the De Facto Partnership Unit regarding your application, you can do so by post at the above address or by email at **INISdefacto@justice.ie**. Please ensure that you include your name, your date of birth, your INIS Person ID number, and your Application ID number in all correspondence.

#### 3. Application times

Due to the large volume of applications it can take up to 6 months for an application to be finalised, however a decision will be taken on an application no later than 12 months from the date of receipt of a fully completed application form. All applications are dealt with strictly in chronological order of the date of receipt.

#### 4. Changes in circumstances

If your circumstances change (such as a change of address, relationship breakdown) you must inform the De Facto Partnership Unit in writing immediately. Failure to do so may result in your application being refused.

Please be advised that the onus is on you to keep this office updated regarding your circumstances and to resubmit any relevant supporting documents in relation to new circumstances.

#### 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. Financial Resources of the Sponsor

The Sponsor must not have been totally or predominantly reliant on benefits from the Irish State for a continuous period in excess of 2 years immediately prior to the application and must over the 3 year period prior to application have earned a cumulative gross income over and above any state benefits of **not less than €40,000**, as outlined at 17.2 " **Policy Document on Non-EEA Family Reunification**" available at INIS website: [www.inis.gov.ie](http://www.inis.gov.ie).

### A. Employment

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

### B. Self-employment

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

### C. Study

Where the Irish National Sponsor is engaged in a course of study with a qualifying and accredited educational institute or college in the State, while possessing comprehensive sickness/health insurance in respect of themselves, their partner, and any dependants.

### D. Involuntary unemployment

Where the Sponsor 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.

### E. Residing with sufficient resources

Where the Sponsor has sufficient resources to maintain themselves and any dependants in the State, while possessing comprehensive sickness/health insurance in respect of themselves, their partner, and any dependants (insurance policies from abroad are acceptable). A person shall not be regarded as having sufficient resources where they would qualify for assistance under Part 3 of the Social Welfare Consolidation Act 2005 if a claim were made by them or on their behalf.

## 7. Outline of the form

- Use **BLOCK CAPITALS** and a **black pen** to complete the form
- Please leave a space between each word
- Complete **all** sections relevant to your application
- Staple the completed pages of the form together before submitting the application

### Section 1 - Applicant Details

This section is for the applicant details.

### Section 2 – Relationship History

Cover Letter stating when and where you and your partner met, when your relationship commenced and when you commenced cohabiting.

### Section 3 – Applicant's Immigration History

This section is to give a history of the applicant's Immigration.

### Section 4 - Details of the Sponsor

This section is for the details of the Sponsor (Partner).

### Section 5 - Current activity of the Sponsor in the State

This section is for the details relating to the current activity of the Sponsor in the State. Section 5 is divided into five parts (A to E). Complete only the part of Section 5 which is applicable.

### Section 6 – Dependent Children

This section is to be completed if the applicant has dependent children who intend to live with the Applicant and Sponsor in Ireland.

### Section 7 – Additional Information

This section is for any other information relevant to application or to provide an explanation where the applicant is unable to provide any of the information or details requested in the form.

### Section 8 – Statutory Declarations

This section is for the Statutory Declarations to be signed by the applicant, by the Sponsor and supporting witnesses affirming before a solicitor, commissioner of oaths or peace commissioner that the contents of the application are truthful. Unsigned forms will be returned and will not be treated as applications. The supporting witness must know both partners and in cases where the couple are residing with a family member, on a temporary basis, the supporting witness must be the home owner.

### Section 9 – Document Checklist

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

## 8. Documentation to support an application for a Residence Permission

When submitting documents please note the following:

1. All documents submitted must be submitted as **photocopies**.
2. Passports should be photocopied in colour, and photocopies should include all pages of the passport where stamps are present.
3. Other documents may be submitted as colour or as black-and-white photocopies.
4. Photocopied pages of multiple-page documents should be stapled together.
5. Any documents which are not in English must be accompanied by a certified translation.
6. Do not submit GNIB Certificates of Registration – a holder of a GNIB card is required to be in possession of it at all times.
7. Do not submit documents which have not been requested.
8. Do not submit USB sticks, memory cards, CD ROMs. Documents in hardcopy format only.

The obligation is on the applicant at all times to provide satisfactory evidence as outlined below and to notify this office of any changes to their circumstances.

### Required Supporting Documents

#### **(a) Evidence of identity**

*For the applicant:*

- A valid passport (colour photocopy of relevant pages)
- Previous passport if current passport recently issued
- Previous passport if used when entering the State

*For the Sponsor:*

- A valid passport

#### **(b) Evidence of residence of applicant and Sponsor in the State**

*If renting, copies of the following documents should be provided:*

- Letter from landlord/agency or tenancy agreement
- Letters of Registration of Tenancy from the Residential Tenancies Board
- Utility bills in the names of both the applicant and the Sponsor
- Proof of payment of rent e.g. bank statements

*If home-owning, copies of the following documents should be provided:*

- Letter from mortgage provider, local authority or County Council
- Title or deeds as applicable
- Utility bills in the names of both the applicant and the Sponsor, also bank statement showing mortgage payments

*Other evidence of residence may be considered if deemed satisfactory, e.g. residing with family, please provide details.*

*The Family member who is the homeowner will, as a supporting witness, be required to make a Statutory Declaration before a solicitor, commissioner of oaths or peace commissioner affirming that the contents of the application are truthful.*

#### **(c) Evidence of current activities of the Sponsor in the State**

*If the Sponsor is in employment, copies of the following documents should be provided:*

- Current letter from employer setting out terms and conditions of employment *OR* signed contract of employment
- Two recent payslips and P60's for previous 3 years
- Bank Statements for applicant and Sponsor for the last 6 months

*If the Sponsor is self-employed, copies of the following documents should be provided:*

- 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
- Bank statements of the business for the last six months
- Companies Registration Office certificates (if applicable)
- Bank Statements for applicant and Sponsor for the last 6 months

*If the Irish National Sponsor is studying, copies of the following documents should be provided:*

- Current letter from college/course provider including start date and expected completion date
- Letter from private medical insurance provider for Sponsor and Applicant
- Evidence of financial resources and corresponding bank statements for 6 months

*If the Sponsor is involuntarily unemployed, copies of the following documents should be provided:*

- Current letter from Department of Social Protection with details of current benefit claims
- Current letter from Employment Services Office acknowledging registration as a jobseeker
- Letter from previous employer outlining circumstances of redundancy
- P60s for last 2 years of employment
- P45 for last employment
- Bank Statements for applicant and Sponsor for the last 6 months

*If the Sponsor has sufficient resources, copies of the following documents should be provided:*

- Evidence of financial resources and corresponding bank statements
- Current letter from Department of Social Protection, with details of any benefit claims, or stating that there are no claims (as applicable)
- Letter from private medical insurance provider for Sponsor and Applicant

**Note:** If for any reason you cannot supply some or all of the required documentation above, you should provide an explanation in **Section 7** of application form. Provision of some or all of the above documentation is not a guarantee of a successful application.