



INFORMATION BOOKLET

LABOUR MARKET ACCESS FOR INTERNATIONAL PROTECTION APPLICANTS

APRIL 2021

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**This booklet is for general guidance only. It provides a summary of the Labour Market Access process which covers the majority of applicants and their situations.*

1. ABOUT LABOUR MARKET ACCESS PERMISSION

Since July 2018 eligible international protection applicants can apply for permission to work. This is known as a “Labour Market Access Permission”. Labour Market Access Permissions are issued by Immigration Services Delivery (ISD, formerly INIS), operating on behalf of the Minister for Justice

In summary, you are eligible to apply if:

1. You are an international protection applicant in Ireland; and
2. You have been waiting at least 5 months for your first instance recommendation; and
3. You are cooperating with the international protection process

A permission will only become valid **6 months** after the date you applied for international protection.

The permission allows you to access employment and self-employment. It is valid for twelve months. It may be renewed if you continue to co-operate with the international protection process and continue to have an active international protection application in the state.

Application forms are available on the ISD website.

<http://www.inis.gov.ie/en/inis/pages/labour-market-access>

2. ELIGIBILITY

To access the labour market you must have an active international protection application in the Irish State. You must also be waiting on a first instance recommendation on your protection application for 6 months or more.

If you receive a first instance decision on your international protection application within 6 months, you will not become eligible for a labour market access permission while your international protection application is being processed.

To allow time for processing, labour market permission applications are accepted 5 months after your date of application for international protection.

To become eligible for a work permission you must co-operate with the international protection process. Any delay in processing your international protection application must not be as a result of your own actions or inaction.

For example:

- you must have made reasonable efforts to establish your identity,
- you must have attended any interviews scheduled for you or provided a reasonable excuse why you did not attend,
- you must have made every effort to submit your questionnaire in a timely manner.

Your record with the International Protection Office will be checked to confirm that any statements made by you about your co-operation are true.

If your application for international protection has been transferred to the State from another EU Member State, the six month period for the purposes of the eligibility criteria only starts when you make, or are deemed to have made, an application for protection under the International Protection Act 2015. Periods of time spent in other EU Member States will not be counted as a qualifying period for the purpose of determining eligibility.

3. HOW TO APPLY FOR A FIRST PERMISSION

If 5 months have passed since you applied for international protection and you have not received a first instance decision you may apply for a Labour Market Access Permission.

If your application is approved, your permission will not be issued until 6 months have passed since you applied for international protection.

To apply:

1. Ensure your TRC (blue card) is in date and your address is up to date with the international protection office.
2. Download the LMA3 application form from the [ISD website](#).
3. Complete and sign the form.
4. Email Lmauapplications@justice.ie with:
 - a. The completed LMA3 form in a pdf format
 - b. Your personal ID in the subject bar
 - c. A clear copy of your valid and in date TRC
 - d. *Either* a description of the identity documents you have provided to the IPO to establish your identity *or* a description of the efforts you have made to obtain identity documents

Incomplete or unsigned applications cannot be processed.

Applying by email:

Completed application forms, along with all required documents can be emailed to: Lmauapplications@justice.ie

Applying by post:

Please note: due to COVID-19 restrictions, the Labour Market Access Unit has limited access to the office. We advise emailing applications at this time.

Completed application forms, along with all required documents, can be posted to: ISD Labour Market Access Unit, PO Box 12931, Freeport FDN5264, Dublin 2.

4. THE LABOUR MARKET ACCESS PERMISSION

If your application is approved, you will be granted a permission to access the labour market. This permission will be valid for 12 months.

This permission is printed double-sided on watermarked paper with your

photograph and validity period included and must be presented in this format to your employer or to any relevant bodies should you engage in vocational training, employment or self-employment. The permission is only valid when presented along with a valid, in-date Temporary Residence Certificate (TRC Card), unless you are under the age of 18 and have not received one.

Your permission will be posted to the address currently held on file for you by the International Protection Office (IPO). If you have changed your address you must [inform](#) the IPO before applying for a permission to access the labour market.

Due to Covid-19 restrictions, LMAU are not issuing paper copies of permissions. Your permission will be issued by email. Your permission number will be in the text of the email and a copy of the permission itself is in the accompanying pdf.

Your employer or potential employer can contact LMAU at Lmauqueries@justice.ie to verify that your labour market access permission is a valid document.

5. USING YOUR LABOUR MARKET ACCESS PERMISSION

As an International Protection applicant you must hold a valid, in-date labour market access permission before engaging in employment or self-employment. Other work permissions and stamps are no longer valid when you apply for international protection.

If you work without a valid permission, you shall be guilty of an offence and shall be liable on summary conviction to a class D fine or imprisonment for a term not exceeding 1 month, or both.

To use a Labour Market Access Permission you must continue to co-operate with the international protection process and comply with a number of conditions. These are outlined in this section and the next section.

Finding Employment

You may search for a job in the usual way. You may also work for yourself, i.e. be self-employed. A labour market access permission also entitles you to avail of vocational training.

You may work for most employers, however you are not permitted to be employed in the Defence Forces, An Garda Síochána, the Civil Service, the Public Service, or one of the other bodies listed in [Schedule 6 of the European Communities \(Reception Conditions\) Regulations 2018](#). The Minister may amend this list at their discretion.

Starting Work

If you have been issued a paper copy of your work permission, show your employer your work permission and TRC card to confirm that you are eligible to work.

If you have been issued an emailed copy of your work permission, your employer may confirm that it is valid by emailing Lmauqueries@justice.ie for confirmation.

Once you begin employment or self-employment you and your employer must together submit form LMA5 to inform the Minister about your income and employer. This should be done within 21 days of you starting work. An LMA5 form can be downloaded from the [website](#) and should be emailed as a pdf to Lmauapplications@justice.ie. Details of your employment may be verified with your employer.

You must also register with the Revenue Commissioners and be tax compliant.

Self-employment

You must comply with the law in relation to any area of self-employment in which you work, and shall not employ any other person, nor enter into a partnership with any other person.

You must inform the Minister within 21 days of engaging in self-employment, and

within 21 days of the employment ceasing. This should be done using the LMA5 form which can be downloaded from the [website](#) and should be emailed as a pdf Lmauapplications@justice.ie.

6. OTHER CONDITIONS OF LABOUR MARKET ACCESS PERMISSION

Your permission can be revoked if you:

- 1) Do not continue to co-operate with the international protection process,
- 2) Do not inform the minister of the details of your income and employment or self-employment.
- 3) Apply for a job with the Defence Forces, An Garda Síochána, the Civil Service, the Public Service, or one of the other bodies listed in [Schedule 6 of the European Communities \(Reception Conditions\) Regulations 2018](#).
- 4) Work for the Defence Forces, An Garda Síochána, the Civil Service, the Public Service, or one of the other bodies listed in [Schedule 6 of the European Communities \(Reception Conditions\) Regulations 2018](#)
- 5) Employ another person
- 6) Carry on a business partnership with another person

Co-operating with the international protection process means that any delay in processing your international protection application must not be as a result of your own actions or inaction. This includes attending interviews as scheduled or providing a valid reason not to attend. It also includes continuing to seek and submit documents in support of your claim, complying with conditions of the international protection process and responding to any communication from the International Protection Office as appropriate. This is not an exhaustive list.

Informing the minister of the details of your income and employment or self-employment means submitting a copy of the LMA5 form in cooperation with your employer within 21 days of starting work and as appropriate when your work circumstances change.

The list of bodies you may not apply for a job with, or work for may be amended at the minister's discretion.

Your permission will no longer be valid if you are no longer an international protection applicant. This may occur if you:

- 1) withdraw your international protection application or
- 2) receive a final decision on your international protection application

Withdrawing your international protection application is an action initiated by you. Correspondence from the international protection office will confirm that your application is withdrawn and that your Labour Market Access Permission is no longer valid.

A final decision means that you have been granted status or all appeals have been completed. When a final decision is made, you will receive a letter issued by the Ministerial Decisions Unit. A final decision letter will state that your labour market access permission is no longer valid.

Information concerning any permission granted may be disclosed to third parties for the purposes of verifying the validity of the permission. The information provided in the application for permission to access the labour market may be disclosed to other Government Departments, An Garda Síochána and State agencies which provide labour market or related services in order to verify the information provided in the application, including the protection applicants' identity and entitlement to access State supports.

Please note that this permission is not an identity document.

7. HOW TO RENEW YOUR PERMISSION

If you have complied with the conditions of a Labour Market Access Permission outlined in sections 5 and 6 above you may apply for a renewal.

One month before your permission expires you should:

1. Ensure your TRC (blue card) is in date and your address is up to date with the international protection office.
2. If you have not already done so, download an LMA5 form from the [ISD website](#) and with your employer complete and sign the form.
3. If you have not worked during the period your last permission was valid, you should write and sign a note stating this and include it with your application in place of an LMA5.
4. Download the LMA4 forms from the ISD website
5. Complete and sign the LMA4 form.
6. Email Lmauapplications@justice.ie with:
 - a. The completed LMA4 form in a pdf format
 - b. *Either* a completed LMA5 form *or* a note stating you have not worked in a pdf format
 - c. Your personal ID in the subject bar
 - d. A clear copy of your valid and in date TRC

Incomplete or unsigned renewal forms cannot be processed.

Applying by email:

Completed application forms, along with all required documents can be emailed to: Lmauapplications@justice.ie

Applying by post:

Please note: due to COVID-19 restrictions, the Labour Market Access Unit has limited access to the office. We advise emailing applications at this time.

Completed application forms, along with all required documents, can be posted to: ISD Labour Market Access Unit, PO Box 12931, Freepost FDN5264, Dublin 2

8. IF YOUR APPLICATION IS REFUSED

It is common for the Labour Market Access Unit to ask for more information before issuing a permit. This is not a refusal. Please respond to any questions asked to the best of your ability.

If your Labour Market application is refused you will be issued with a letter of refusal. This letter will be posted to your address or sent as a pdf attachment to an email. It will state that your application for labour market access permission “*has been considered in accordance with the European Communities (Reception Conditions Regulations 2018)*”. It will inform you that you are ineligible and will give a reason or several reasons why you are ineligible.

Some common reasons for refusal include:

- That you do not have an active international protection application in the state
- That you have applied for a permission before you are eligible to apply
- That you have caused a delay in the processing of your application for international protection.

Some letters of refusal advise that an applicant can reapply on a certain date. If your letter of refusal contains this advice, we recommend that you reapply on that date.

If you are not satisfied with the refusal you may request a review by emailing Lmauqueries@justice.ie within 10 days. Please state “FAO Review Officer” in the subject line and provide an outline of why you are not satisfied with the refusal. You may also post your request for a review to: Review Officer, Labour Market Access Unit, PO Box 12931, Freepost.

Please note: due to COVID-19 restrictions, the Labour Market Access Unit has limited access to the office. We advise emailing review requests at this time.

9. USEFUL CONTACT DETAILS

Organisation/ Department	Contact Details
Website	http://www.inis.gov.ie/en/inis/pages/labour-market-access
Applications & Forms	Lmauapplications@justice.ie
All Other Queries	Lmauqueries@justice.ie