



## Application for permission to remain in the State on the basis of marriage/civil partnership to an Irish national

- 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. **If you do not forward the required documentation we will consider your application incomplete and return it to you.** All declarations in **Section 5 & Section 6** must be signed. Incomplete application forms will not be accepted. **Please ensure you read and sign the Data Protection Statement.**
- Please note that certain documents are required to be submitted with this form. Please refer to the checklist in **Section 8** of this form. All documents should be submitted as originals accompanied by photocopies. (Original passports will be returned once recorded).
- If you are unable to provide any of the information or details requested please provide a written explanation indicating the reasons for this in **Section 7** of this form.
- The Spouse of Irish National Unit endeavours to process applications as quickly as possible, however, processing times may vary due to a number of factors, such as the complexity of applications, individual cases etc.. Applications are dealt with in strict chronological order of receipt. Please be aware that a decision may take over **12 months** from the date of receipt of a fully completed application form with **ALL** the relevant supporting documentation.
- 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, marital status, address or change in activities of the Irish spouse). You must submit new supporting documentation as appropriate.

- Applications will not be accepted from persons outside the State.

**Incomplete application forms will not be processed and will be returned.**

**Where to send your completed application form**

You must send your completed application form and supporting documents to the address below

**Spouse of Irish National Unit**

**Unit 6 – Domestic Residence & Permissions Division**

**Immigration Service Delivery**

**PO Box 12695**

**Dublin 2**

**Please note:** Application status updates will not be provided. Spouse of Irish National Unit should only be contacted if it is absolutely necessary as this will allow us to devote the maximum time to the processing of applications.

## Privacy Notice

### Introduction:

1. The data you provide is collected by Domestic Residence and Permissions, a Business Unit of the Department of Justice (DoJ). The data controller for the information you provide is the Department of Justice and the data controller's contact details are:

Spouse of Irish National Unit, Residence Division Unit 6, Immigration Service Delivery, PO Box 12695, Dublin 2.

### How will your personal data be used?

2. We may use the personal data you provide in this form for the following purpose(s):
1. Assessing your eligibility for this scheme.
  2. Verifying your identity.
  3. We will use the personal data you provide in this form and in associated correspondence for the purpose of assessing your eligibility for permission to remain in the State, and verifying your identity. We may also use the personal data you provide in this form and in associated correspondence as part of any future considerations regarding your immigration or citizenship status.

### Legal Basis for processing your Personal Data:

3. Our legal basis for collecting and processing this data is as follows:
- a. The Immigration Act, 1999, The Immigration Act, 2003, The Immigration Act, 2004, To fulfil the function of the Minister for Justice, Management of inward migration to the State (Immigration), as designated in the Ministers and Secretaries Act 1924 (as amended).

### Further processing of your Personal Data:

4. Where it is necessary and proportionate to do so, in accordance with the Data Protection Act 2018 and the GDPR, information we receive from another State agency which may affect your application will be notified to you and you will be given an opportunity to provide an explanation on any adverse information, further personal data may be requested or received from/provided to other Public Authorities/competent authorities/international organisations for the purpose of:

- a. Verification of data received and the precise legal basis for such processing/information sharing is Section 8(1) and (2) of the Immigration Act, 2003.
- b. Preventing a threat to national security under the Section 8 of the Immigration Act 2003.

5. We may also process your personal data for research or statistical purposes as allowed under the Data Protection Act 2018 and the GDPR.

### Security of Personal Data:

6. The personal data provided will be stored securely on Department of Justice IT servers or other as appropriate. It may be shared, where appropriate, with the following third parties:
1. Government departments and agencies,
  2. An Garda Síochána,
  3. EEA competent authorities,
  4. EEA police forces,
  5. 3rd parties such as employers and landlords who, with the consent of the data subject, have provided documentary evidence on behalf of the application, or such 3rd parties who have provided documentary evidence by the application,
  6. 3rd party service providers in the areas of data handling and storage and in the production of IRP cards.

### Contact for Queries:

7. The contact for any queries in relation to this form is Spouse of Irish National Unit, Residence Division Unit 6, Immigration Service Delivery, PO Box 12695, Dublin 2.

**How long will Personal Data be retained?**

8. This data will be stored in accordance with the requirements of the National Archives Act 1986.

**How to Request a copy of your Personal Data:**

9. You can request a copy of your personal data by completing a Subject Access Request (SAR) form, available:

\* at [http://www.justice.ie/en/JELR/Pages/Data\\_Protection](http://www.justice.ie/en/JELR/Pages/Data_Protection) or

\* from the Data Protection Support and Compliance Office (DPSCO) at the address below.

Forward the completed form by email to [subjectaccessrequests@justice.ie](mailto:subjectaccessrequests@justice.ie) or by post to the DoJ Data Protection Officer at the address below. You will be required to verify your identity before the data can be forwarded to you. The time limit for responding to a SAR commences once your identity has been verified.

**Your Rights in relation to your Personal Data:**

10. You have the right to rectify any inaccuracies in your data. To do this you should write to Spouse of Irish National Unit, Residence Division Unit 6, Immigration Service Delivery, PO Box 12695, Dublin 2, documenting the inaccuracies which need to be rectified. The right to rectification is not absolute and each request will be considered on its own merits.

11. You have the right, where appropriate, to obtain erasure of your data and/or a restriction on the processing of your data as well as the right to object to the processing of your data. The right to erasure, restriction or objection is not absolute and each request will be considered on its own merits.

12. You have the right to lodge a complaint with the Data Protection Commission (DPC). You can contact the DPC by webforms on their website [www.dataprotection.ie](http://www.dataprotection.ie) or by post to:

21 Fitzwilliam Square South, Dublin 2, D02 RD28

Further details in relation to your data protection rights can be found in the Department of Justice Data Protection Policy available at:

[http://www.justice.ie/en/JELR/Pages/Data\\_Protection](http://www.justice.ie/en/JELR/Pages/Data_Protection)

**Contact the DPO:**

You can contact the Data Protection Officer (DPO) for the Department of Justice by post at:

The Data Protection Officer,  
Department of Justice,  
51 St. Stephen's Green,  
Dublin 2, D02 HK52.

Or by email - [dataprotectioncompliance@justice.ie](mailto:dataprotectioncompliance@justice.ie)

I/We acknowledge that I/we have read and understood the information provided above by the Department of Justice for the purposes of ensuring fair and transparent processing of my/our personal data.

Name of applicant \_\_\_\_\_

Signature of applicant \_\_\_\_\_

Date \_\_\_\_\_

AND

Name of Irish National \_\_\_\_\_

Signature of Irish National \_\_\_\_\_

Date \_\_\_\_\_

























## Section 5

## Criminal declaration of the applicant

**This section deals with possible criminal activity:**

- This section asks about any criminal convictions or charges pending against you.
- This section asks about any involvement you may have had in war crimes, genocide, crimes against humanity or terrorism.
- If you fail to answer all of these questions as fully and accurately as possible, your application for permission to remain may be refused.

**5.1** Have you ever been charged or indicted in any country (including Ireland) with a criminal offence for which you have not been tried in court? (✓)

Yes (give details below)      No

Charge/Indictment No. 1	
Name under which you were charged	
Country where you were charged/indicted	
Type of offence	

Charge/Indictment No. 2	
Name under which you were charged	
Country where you were charged/indicted	
Type of offence	

Charge/Indictment No. 3	
Name under which you were charged	
Country where you were charged/indicted	
Type of offence	

**Please note**, if you have received more than 3 charges/indictments, please photocopy this page and enclose the completed section with this form.



**5.2** Have you ever been convicted of an offence in Ireland or abroad? If yes, please provide details for EACH criminal conviction, starting with the most recent one. (✓)

Yes (give details below)      No

Criminal conviction No. 1	
Name under which you were convicted	
Country where you were convicted	
Type of offence	
Sentence given	
Date sentenced	
Term of imprisonment, if any, in months	

Criminal conviction No. 2	
Name under which you were convicted	
Country where you were convicted	
Type of offence	
Sentence given	
Date sentenced	
Term of imprisonment, if any, in months	

Criminal conviction No. 3	
Name under which you were convicted	
Country where you were convicted	
Type of offence	
Sentence given	
Date sentenced	
Term of imprisonment, if any, in months	

**Please note**, If you have received more than 3 criminal convictions, please photocopy this page and enclose the completed section with this form.

**5.3** Are there, or have there ever been any Court Orders in relation to Family Law matters to which you are/were party (e.g. Barring Order, Care Order, Protection Order or Safety Order etc.)? (✓)

Yes

No

If you answered 'Yes', please provide further details here:


**5.4** Have you ever been involved in, supported, or encouraged terrorist activities in any country? (✓)

Yes

No

If you answered 'Yes', please provide further details here:


**5.5** Have you ever served in a military force or State-sponsored private militia, undertaken any military or paramilitary training, or been trained in the use of weapons and/or explosives? (✓)

Yes

No

If you answered 'Yes', please provide further details here:


**5.6** Have you ever been a member of, or given support to, an organisation, which has been associated with terrorism? (✓)

Yes

No

If you answered 'Yes', please provide further details here:


**5.7** Have you, in either peace time or war time, ever been involved in, or been suspected of involvement in, war crimes, crimes against humanity or genocide? (✓)

Yes

No

If you answered 'Yes', please provide further details here:


**5.8** Have you submitted a Police Clearance from any Country you resided in over the last 5 years excluding Ireland? The Certificate must be not more than 6 months old at the time of application. (✓)

Yes

No

If you answered 'No', please provide further details here:


Please note that reports are obtained from An Garda Siochana and may be requested from other Government Departments and other agencies. Failure to disclose any material matter means that you will have made a false declaration, which will adversely affect this application.

I declare that the above information I have given is complete and is true to the best of my knowledge. I understand that any false or misleading information will result in the refusal of this application

Signature \_\_\_\_\_

/   /

## Section 6

## Statutory declaration

**Statutory declaration: Applicant****To be signed before a solicitor, commissioner of oaths or peace commissioner**

I hereby apply for residence permission for myself. I make the following declaration under the Statutory Declaration Act 1938.

The information I have given is complete and is true to the best of my knowledge. 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 Residence Unit 6 of the Department of Justice 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 a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under Section 6 of the Statutory Declarations Act 1938 and shall be liable on summary conviction to a fine or, at the discretion of the court, to imprisonment.

I understand that, under Section 8 of the Immigration Act 2003 the data in this application may be disclosed to other Irish Government Departments, Government Agencies and/or An Garda Síochána for purposes connected with this or any other application. I agree to ISD making enquiries to confirm any of the details or documents provided by me in this application, including my participation in an interview process.

Signed by applicant \_\_\_\_\_

Date 

D	D
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 / 

M	M
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 / 

Y	Y	Y	Y
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Declared before me \_\_\_\_\_ [name in capitals] a [solicitor] [notary public] [commissioner for oaths] [peace commissioner] to take and receive statutory declarations by

Applicant name: \_\_\_\_\_

[who is personally known to me]

or

[whose identity has been established to me before the taking of this Declaration by the production to me of passports]

Applicant passport No. \_\_\_\_\_ Date of issue \_\_\_\_\_ Issuing Authority

\_\_\_\_\_

Signed by [solicitor] [notary public]

[commissioner of oaths] [peace commissioner]

Date

\_\_\_\_\_

D	D	/	M	M	/	Y	Y	Y	Y
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Stamped by relevant Authority

[solicitor] [notary public] [commissioner for oaths]

[peace commissioner]

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### Statutory Declaration: Spouse/Partner

#### To be signed before a solicitor, commissioner of oaths or peace commissioner

The information given in this form is complete and is true to the best of my knowledge. I confirm that if, before the application is decided, there is a material change in my circumstances or new information relevant to this application becomes available, I will inform the Residence Unit 6 of the Department of Justice 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 a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under Section 6 of the Statutory Declarations Act 1938 and shall be liable on summary conviction to a fine or, at the discretion of the court, to imprisonment.

I understand that, under Section 8 of the Immigration Act 2003 the data in this application may be disclosed to other Irish Government Departments, Government Agencies and/or An Garda Síochána for purposes connected with this or any other application. I consent to ISD making enquiries to confirm any of the details or documents provided by me in this application, including my participation in an interview process.

Signature of Spouse/Partner: \_\_\_\_\_

Date:

D	D	/	M	M	/	Y	Y	Y	Y
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by Declared before me \_\_\_\_\_ [name in capitals] a [solicitor]  
[notary public] [commissioner for oaths] [peace commissioner] to take and receive statutory  
declarations

Name of Spouse/Partner: \_\_\_\_\_

[who is personally known to me]

or

[whose identity has been established to me before the taking of this Declaration by the production to me of passports

Spouse/Partner's passport No. \_\_\_\_\_ Date of issue \_\_\_\_\_ issuing Authority \_\_\_\_\_

Signed by [solicitor] [notary public] [commissioner for oaths] [peace commissioner]:

\_\_\_\_\_

Date: 

D	D	/	M	M	/	Y	Y	Y	Y
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Stamped by relevant Authority

[solicitor] [notary public]

[commissioner for oaths] [peace commissioner]





## Section 8

## Document checklist

Please provide the following **original** documentation. We will return original documentation to you by registered post. Please note that we may request further information/documentation during the course of processing the application. **If you do not forward the documentation below, we will consider your application incomplete and return it to you.**

Document description	Tick if you have submitted (✓)
<b>Documents of applicant (all must be provided)</b>	
Applicant's current passport(s), Applicants previous passport(s)	
Applicants birth certificate	
2 passport photos for the applicant, signed on the back	
<b>Documents of Irish National (all must be provided)</b>	
Spouse's current passport(s), Spouse's previous passport(s)	
Spouse's birth certificate	
2 passport photos for the spouse, signed on the back	
<b>Evidence of the relationship &amp; marriage</b>	
Marriage/Civil Partnership Certificate	
Notification of Marriage/Civil Partnership (if applicable)	
Divorce Certificate (if applicable)	
Detailed relationship history/timeline	
Relationship & wedding photograph	
<b>Evidence of the applicant's residency in the State</b>	
Letter from rental agency, rental contract or tenancy agreement	
Letter of Registration of Tenancy from the Private Residential Tenancies Board	
Utility bills in both the applicant and spouse's name	
Bank statements for the applicant (12 months minimum )	
Mobile phone bills in the applicants own name	

Proof of rent paid, e.g. bank statements (dated)	
<b>If Home-Owning:</b> Letter from mortgage provider, local authority or County Council (dated)	
Title or deeds (as applicable)	
Utility bills in the names of both the applicant and the spouse, also bank statements showing mortgage payments (dated)	
<b>If other please state, e.g. Living with family member</b>	
<b>Evidence of current activity of Irish National Spouse/Partner in the State</b> Please provide supporting documents for the current activity as per Section 5, Parts (A – E)	
<b>(A) Employment</b>	
Current letter from employer setting out terms, conditions and hours of employment and/or signed contract of employment	
Six recent payslips and previous 3 years P60's	
Bank statements for you for the last 12 months minimum	
Evidence of Private Medical Insurance (for spouse/partner and applicant)	
<b>(B) Self-employment</b>	
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 Commissioners	
Bank Statements of the business for the last 12 months	
Bank Statements for you for the last 12 months minimum	
Evidence of Private Medical Insurance (for spouse/partner and applicant)	
<b>(C) Study</b>	
Letter from college/course provider including course description, start date and completion date	
Evidence of Private Medical Insurance (for spouse/partner and applicant)	

Bank statements for you for the last 12 months minimum	
<b>(D) Involuntary unemployment</b>	
Letter from Department of Social Protection with details of benefit claims	
Letter from Employment Services Office acknowledging registration as a jobseeker	
Letter from previous employer outlining circumstances of end of employment	
Bank Statements for you for the last 12 months minimum	
P60's for prior two years of employment and P45 from last employment	
<b>(E) Residing with sufficient resources</b>	
Bank Statements for you for the last 12 months minimum	
Letter from Department of Social Protection with details of any benefit claims (or stating that there are no claims)	
Evidence of Private Medical Insurance (for spouse/partner and applicant)	
<b>(F) Criminal convictions</b>	
A Police Clearance Certificate is required from any Country you resided in over the last 5 years (excluding Ireland). The Certificate must be no more than 6 months old at time of application.	