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# Form EUTR3 Application for Permanent Residence

# for non-EEA national family member

This form is to be completed by each non-EEA national applying for permanent residence, having resided in the State for five years or more as the family member of a citizen of the European Union, Switzerland or an EEA Member State, under the European Communities (Free Movement of Persons) Regulations 2015 or as the family member of a United Kingdom national under the European Union (Withdrawal Agreement) (Citizens' Rights) Regulations 2020.

- 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. The declaration(s) in Section 6 must be signed. 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 5** of this form. All documents should be submitted as photocopies. Original documents should not be submitted with this application. Original documents may be requested by this office during the course of 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 a letter and enclose it with this application form.
- A decision will be taken on the application no later than six months from the date of receipt of a fully completed application form with 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 circumstances (including change of residence or change in activities of EEA national or United Kingdom national). You must submit new supporting documentation as appropriate.

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Spouse	Partner	Divorced/Annulled Other family dependant
Parent  If "Other family dependant", ple	Sibling ase specify:	Child
1.14 Passport Number		1.15 GNIB Registration Number
1.16 Status on arrival in the Stat	e (please tick)	
Asylum-seeker	Student	Family member of EEA national
Visitor	Employment Permit or Green Card Permit	or United Kingdom national Other
If "Other", please give details:		
1.17 Date of arrival in the State  Day  Month		.18 Have you ever been deported or removed from the tate or any other country?  Yes  No
<b>1.19</b> Have you been convicted of	f any criminal offence in the S	tate or abroad? Yes No
(If "yes", please give details)		
1.20 Are there any charges pend	ling against you in the State	or abroad? Yes No
(If "yes", please give details)		
Section 1B Retention	n of Rights	
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<b>3.4</b> Email address of employer, business or college	
3.5 Contact telephone number for employer, business or college  3.7 Details of sufficient resources or social welfare (if applicable)	3.6 Date of commencement of activity  Day  Month  Year
3.8 Previous activities of the EEA national or United Kingdom in the State in t	the last 5 years
Please provide details of activities in the State for a continuous period of five use <b>Annex B</b> , which can be found with this application form on the Immigrat <a href="https://www.irishimmigration.ie">https://www.irishimmigration.ie</a> NOTE: For "Details of activity" in this section, please provide the following as applicable of business; address of college and course title; type of social welfare received; details of	tion Service website at ole: name and address of workplace; name and address
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# Section 5 Document Checklist

Please provide **photocopies** of the documents requested below. Identity documents and civil certificates should be photocopied in colour and photocopies should include all pages (including blank passport pages).

Evidence of identity
Passport of applicant Passport or National Identity Card of EEA national or UK national
Two passport-size photos of applicant  Two passport-size photos of EEA national or UK national
Evidence of relationship of applicant to EEA national or United Kingdom national
Please provide supporting documents relevant to your family relationship as per Section 1.13 of this form.  Civil Marriage Certificate (For Spouse)  Partnership Certificate (For Recognized Civil Partner)  Birth Certificate(s) (for Child, Parent or Sibling)  For "De facto partner" or "Other family dependent", please specify supporting documents enclosed:
Evidence of activities in the State
Please provide supporting documents for economic activities. Documents should pertain to the EEA national or the United Kingdom national only, as per Section 3 of this form, except where Section 1B has been used.
(A) For each period of Employment
Letter from employer setting out terms and conditions of employment or signed contract of employment
P60s or Employment Detail Summary for the last five years (or as applicable)
(B) For each period of Self-employment
Agreed Tax Assessment from the Revenue Commissioners for each applicable financial year
VAT3 receipts (if applicable)
Bank statements of the business for a six-month period, and corresponding invoices or receipts issued
(C) For each period of Study
Letter from college/course provider including course description, start date and completion date
Letter from private medical insurance provider showing comprehensive sickness insurance
Bank statements and other evidence of financial resources
(D) For each period of Involuntary Unemployment
Letter from Department of Social Protection with details of benefit claims
Letter from Employment Services Office (or SOLAS) acknowledging registration as a jobseeker
Letter from prior employer outlining circumstances of redundancy
P60s or Employment Detail Summary for prior two years of employment
(E) For each period while Residing with sufficient resources
Evidence of financial resources and corresponding bank statements
Letter from Department of Social Protection with details of benefit claims or confirmation of no claims
Letter from private medical insurance provider showing comprehensive sickness insurance and evidence of payment
Evidence of residence of applicant and EU citizen in the State for a continuous period of 5 years
For each residential address while Renting
Letter from landlord/agency, tenancy agreement, or letters of Registration from Residential Tenancies Board
Utility bills in the names of both applicant and EEA national or United Kingdom national for each year of residence
For each residential address as the Home-owner
Letter from mortgage provider, local authority or County Council
Title or deeds as applicable
Utility bills in the names of both applicant and EEA national or United Kingdom national for each year of residence
Evidence of cessation of employment or self-employment of EEA national or United Kingdom national (if applicable
Documentary evidence of cessation of employment or self-employment, outlining the circumstances of cessation
Documentary evidence of receipt of a state pension (contributory or non-contributory), or an allowance, benefit or supplement with respect to a disability, injury or illness

# **Section 6** Declarations

# **Applicant**

This declaration should be signed and dated by the applicant or by the parent or guardian of an applicant under the age of 18.

I hereby apply for permanent residence for myself. The information I have given is complete and is true to the best of my knowledge. I also declare that the photographs submitted with this form are a true likeness of me. 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 EU Treaty Rights Division 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, under Section 8 of the Immigration Act 2003 and Regulation 26 of the European Communities (Free Movement of Persons) Regulations 2015, as amended, the data in this application may be disclosed to other Irish Government Departments as well as to public authorities including those in the Member States of the European Union and European Economic Area (EEA) for purposes connected to this application. I acknowledge that the EU Treaty Rights Division may make enquiries to confirm any of the details or documents provided by me in this application, including my participation in an interview process.

I am aware that a person who asserts an entitlement to any rights on the basis of information which he or she knows to be false or misleading in a material particular shall be guilty of an offence and shall be liable, on summary conviction or conviction on indictment, to a fine or term of imprisonment, or both, as set out in Regulation 30 of the European Communities (Free Movement of Persons) Regulations 2015, as amended, and Regulation 21 of the European Union (Withdrawal Agreement) (Citizens' Rights) Regulations 2020.

Signed by applicant	Date		
		$/\Box\Box$	
	Day	Month	Year

### **EEA national or United Kingdom national**

This declaration should be signed and dated by the relevant European Union, EEA or Swiss citizen or United Kingdom national.

The information given in this form is complete and is true to the best of my knowledge. I also declare that the photographs submitted with this form are of a true likeness of me. 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 EU Treaty Rights Division 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, under Section 8 of the Immigration Act 2003 and Regulation 26 of the European Communities (Free Movement of Persons) Regulations 2015, as amended, the data in this application may be disclosed to other Irish Government Departments as well as to public authorities of the Member States of the European Union and European Economic Area (EEA) for purposes connected to this application. I acknowledge that the EU Treaty Rights Division may make enquiries to confirm any of the details or documents provided by me in this application, including my participation in an interview process.

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Signed by EU, EEA or Swiss citizen or United Kingdom national	Date		
	Day	/ Month	Year

Please note submission of incomplete forms or failure to submit all requested documentation will result in the automatic return of your application. All documents submitted with this application should be photocopies.

Please return completed forms and documents to:

Permanent Residence EU Treaty Rights Division Immigration Service Delivery Department of Justice 13/14 Burgh Quay Dublin 2, D02 XK70

#### Data privacy notice

#### Introduction

1. The data you provide is collected by EU Treaty Rights Division in Immigration Service Delivery (ISD), 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:

EU Treaty Rights Division, Immigration Service Delivery Department of Justice, 13/14 Burgh Quay, Dublin 2, D02 XK70

#### How will your personal data be used?

- 2. We may use the personal data you provide in your application for the purpose of:
  - assessing your entitlement or continued entitlement to reside in the State as the family member of the EEA national named in your application, or
  - assessing your entitlement or continued entitlement to reside in the State as the family member of the UK national named in your application, or
  - assessing your entitlement or continued entitlement to permanent residence in the State as an EEA national,
  - assessing your entitlement or continued entitlement to permanent residence in the State as a UK national.

#### Legal Basis for processing your Personal Data

3. Our legal basis for collecting and processing this data is in accordance with Section 8 of the Immigration Act 2003 and to fulfil the function of the Minister for Justice in relation to asylum, immigration (including visas) and citizenship matters 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, further personal data may be requested or received from/provided to other Public Authorities/competent authorities/international organisations for the purpose of:

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- Verification of the data received under Directive 2004/38/EC, Regulation 26 of the EC (Free movement of Persons) Regulations 2015 as amended, European Union (Withdrawal Agreement) (Citizens' Rights) Regulations 2020, Section 3 of the Immigration Act 1999.
- Section 8(1) and 8(2) of the Immigration Act 2003, section 4 of Immigration Act 2004,
- Work Permit application for non-EEA nationals in accordance with Section 37 of the Employment Permits Act 2006;
- Processing applications for residence Section 261(2) of the Social Welfare Consolidation
   Act and Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2020;
- Section 41 of the 2018 Act.
- 5. We may also process your personal data for research or statistical purposes as allowed under the Data Protection Act 2018 and the GDPR.

#### A competent authority means:

• A public authority competent for the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties in the State, including the safeguarding against, and the prevention of, threats to public security, or any other body or entity authorised by law to exercise public authority and public powers for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties in the State, including the safeguarding against, and the prevention of, threats to public security.

#### Security of Personal Data

- 6. The personal data provided will be stored securely on DoJ servers. It may be shared, where appropriate, with the following third parties:
  - Government Departments and agencies
  - An Garda Síochána
  - EEA competent authorities
  - EEA police forces
  - UK competent authorities
  - Individuals with your consent for example, employer, landlord
  - Service providers of the DoJ, for example, data handling and storage providers, producer
    of Residence Card/Residence Document/Irish Residence Permit.

#### **Contact for Queries**

7. The contact for any queries in relation to this form is EU Treaty Rights Division, Immigration Service Delivery, Department of Justice, 13/14 Burgh Quay, Dublin 2, D02 XK70.

#### 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 or
  - from the Data Protection Support and Compliance Office (DPSCO) at the address below.

Forward the completed form by email to <a href="mailto:subjectaccessrequests@justice.ie">subjectaccessrequests@justice.ie</a> 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 the Data Steward, EU Treaty Rights Division, Immigration Service Delivery, Department of Justice, 13/14 Burgh Quay, Dublin 2, D02 XK70, 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 <a href="www.dataprotection.ie">www.dataprotection.ie</a> or by post to: 21 Fitzwilliam Square South, Dublin 2, D02 RD28

Protection Policy available at: <a href="http://www.justice.ie/en/JELR/Pages/Data\_Protection">http://www.justice.ie/en/JELR/Pages/Data\_Protection</a>

Contact the DPO

You can contact the Data Protection Officer (DPO) for the	ne Department of Justice by post at:
Data Protection Officer,	
Department of Justice,	
51 St. Stephen's Green,	
Dublin 2, D02 HK52.	
or by email - <u>dataprotectioncompliance@jus</u>	stice.ie
I acknowledge that I have read and understood the	information outlined above, which relates
to my data protection rights.	
Name (Applicant)	
Signature (Applicant)	Date
Name of Parent/Guardian if applicant is under 18	
Signature of Parent/Guardian	Date
Name (EEA/UK national)	
Signature (EEA/UK national)	Date