



Application for permanent residence for an EEA or UK national

Who is this form for?

You should use this application form if:

- You are an EEA national
or
you are a United Kingdom national
- You are applying for a permanent residence certificate under the European Communities (Free Movement of Persons) Regulations 2015, as amended
or
you are applying for a permanent residence document under the European Union (Withdrawal Agreement) (Citizens' Rights) Regulations 2020
- You have lived in Ireland for five years or more as an EEA national or United Kingdom national
- You are exercising your EU Treaty Rights in the State (employed, self-employed, residing with sufficient resources, studying or involuntarily unemployed) for a continuous period of five years

How to complete this form:

- You must complete this form in CAPITAL letters
- You must place a tick (✓) in the boxes that are relevant to you
- You must complete all sections of this form which are relevant to you in full
- You must submit photocopies of supporting documents for the relevant five year period
- You must complete the checklists on pages 20 and 21 for each application
- You, the applicant, must sign and date the Declaration on page 22, at the end of this form
- If you cannot provide any of the information requested at this time, please give the reason in writing with this application

- You must send your completed application form and any supporting documents you wish to provide to the address below

**Permanent Residence
Join Family
Immigration Service Delivery
Department of Justice
13/14 Burgh Quay
Dublin 2, D02 XK70**

- Your application may be delayed if you do not send it to the address listed above
- We recommend you send your application by Registered Post
- If you choose to send your application by registered post you can track it on the An Post website, www.anpost.ie

Warning:

If you have a change in circumstances while your application is being processed, for example:

- If you change your personal details (your name, nationality etc.)
- If your contact details change (your phone number, address or legal representative etc.)
- If there is a change in other circumstances, you must inform EU Treaty Rights Division immediately and provide any relevant supporting documentation

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:

Join Family,
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:

- Verification of the data received under Directive 2004/38/EC, Regulation 26 of the EC (Free movement of Persons) Regulations 2015 as amended, EU (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 Join Family, 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 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 the Data Steward, Join Family, 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 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

Contact the DPO

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

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

or

by email - dataprotectioncompliance@justice.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 _____

Section 5 Personal History of the applicant

- This section asks about any criminal convictions you have.
- This section asks about any involvement you may have had in war crimes, genocide, crimes against humanity or terrorism.
- Please note, if you have received more than 3 charges/indictments/convictions, please photocopy the relevant sections and enclose the completed sections with this form
- This section also asks about your immigration history
- If you fail to answer all of these questions as fully and accurately as possible, your application may be refused

Warning, it is an offence under Regulation 30 of the European Communities (Free Movement of Persons) Regulations 2015 and under Regulation 21 of the European Union (Withdrawal Agreement) (Citizens' Rights) Regulations 2020 to make a statement that you know to be false or misleading.

5.1 Have you ever been charged or indicted in any country with a criminal offence for which you have not been tried in court? (✓) If you have received more than 3 charges/indictments, please photocopy this page and enclose the completed section with this form.

Yes (give details below) No

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

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

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

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. If you have received more than 2 criminal convictions, please photocopy this page and enclose the completed section with this form.

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	

5.4 Did you comply, or are you in compliance with the imposed conditions or restrictions? (✓)

Yes No

5.3 Are you now, or have you ever been required to comply with conditions following release from prison? (✓) (for example a period of probation or restricted licence)

Yes (give details below) No

<u>Type of condition imposed</u>	
<u>Date condition started</u>	
<u>Term of condition (date of expiry)</u>	

5.5 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 (give details below) No

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

Yes (give details below) No

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

Yes (give details below) No

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

Yes (give details below) No

5.9 Have you ever been deported/removed from Ireland or another country? (✓)

Yes (give details below) No

Date of Deportation/Removal	
Country deported/removed from	
Country deported/removed to	

5.10 Are you, or have you ever been, subject to a deportation, exclusion or removal order in Ireland or any other country? (✓)

Yes (give details below) No

Type of order	
Date of order	
Status of order	

5.11 Have you ever been denied permission to enter or remain in any other country? (✓)

Yes (give details below) No

Type of permission denied	
Name of Country	
Date of denial of permission	

5.12 Provide details of all countries you have visited in the last 10 years. If necessary, photocopy this section and submit with this application.

<u>Country</u>	<u>Date of Travel</u>	<u>Reason for visit</u>	<u>Length of stay</u>

5.13 Provide all addresses at which you have lived in the last ten years. If necessary, photocopy this section and submit with this application? Please provide the dates you lived at the address.

	<u>Address</u>	<u>Dates you lived there</u>
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Section 6 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). You must supply evidence of residency and activities for the continuous five year period immediately prior to making this application.

<u>Description</u>		Tick if you have submitted	Number of pages	For Official Use
Identity documents		(✓)		
1.	Passport of the applicant			
2.	National Identity Card			
3.	2 passport photos			

Evidence of residence in the State for a continuous period of five years

Residency documents for renting a property				
4.	Tenancy Agreement			
5.	Letter from landlord/letting agent including contact details			
6.	Letter from local authority/County Council			
7.	Utility bills in your name			
8.	Bank statements showing rental payments			
9.	Evidence of rent payments			
Residency documents for homeowners				
10.	Title or deeds as applicable			
11.	Letter from Mortgage Provider/Local authority/County Council			
12.	Utility bills in your name			

Evidence of activity in the State for a continuous period of five years

For any period of employment				
1.	Letter from employer setting out terms of employment			
2.	Current contract of employment,			
3.	2 recent payslips			
4.	P60 certificate or Employment Detail Summary for a continuous five year period			
5.	Corresponding bank statements to show earnings			

For any period of self-employment			
6.	Agreed Tax assessment from Revenue for last financial year		
7.	Letter of registration for self-assessment of income tax (Revenue)		
8.	Certificate from Companies Registration Office		
9.	Sales/Service invoices for the last six months		
10.	Corresponding bank statements for the business for the continuous five year period		
For any period of study			
11.	Letter from course provider, including course description, start date and end date		
12.	Letter from private medical insurance provider for yourself and any dependents		
13.	Copy of private comprehensive health insurance policy		
14.	Evidence of payment of private health insurance policy		
For any period of involuntary unemployment			
15.	Letter from Department of Social Protection outlining any benefits which have been received		
16.	Letter from most recent employer outlining circumstances of redundancy		
17.	P45 certificate or Employment Detail Summary for last employment		
18.	P60 certificates or Employment Detail Summary for the relevant period(s)		
For any period of residing with sufficient resources			
19.	Evidence of financial resources e.g. bank statements		
20.	Letter from Department of Social Protection outlining any benefits which have been received		
21.	Letter from private medical insurance provider for you and any dependents		
22.	Copy of private comprehensive health insurance policy		
23.	Evidence of payment of private health insurance policy		
If there has been a cessation of activities			
24.	Evidence of cessation of employment or self-employment		
25.	Letter outlining the circumstances of cessation of activities		
26.	Evidence of receipt of a State pension (contributory or non-contributory)		
27.	Details of any allowance, benefit or supplement for any disability, injury or illness (as applicable)		

